

U.S. Department of the Interior  
Bureau of Land Management

# Mining Claim Packet

BLM



Colorado State Office • COLORADO



*Revised on July 30, 2014*



## **BLM Colorado Mining Claim Packet**

<b>1</b>	<b>Notice To Mining Claimant.....</b>	<b>4</b>
<b>2</b>	<b>So, You Want To Locate a Mining Claim .....</b>	<b>5</b>
<b>3</b>	<b>Mining on Public Land - Frequently Asked Questions .....</b>	<b>7</b>
<b>4</b>	<b>County Clerk &amp; Recorder Filing Requirements .....</b>	<b>14</b>
<b>5</b>	<b>Mineral Areas in Colorado .....</b>	<b>15</b>
<b>6</b>	<b>Access To: Colorado Public Lands.....</b>	<b>17</b>
<b>7</b>	<b>BLM Map Order Form .....</b>	<b>21</b>
<b>8</b>	<b>Index to BLM 100K Map Series .....</b>	<b>22</b>
<b>9</b>	<b>LR2000 Mining Claim Reports.....</b>	<b>23</b>
<b>10</b>	<b>General Land Office Records (GLO Records).....</b>	<b>26</b>
<b>11</b>	<b>Township Diagram.....</b>	<b>27</b>
<b>12</b>	<b>Land Description Diagram.....</b>	<b>28</b>
<b>13</b>	<b>Example - Certificate of Location - Lode Mining Claim.....</b>	<b>29</b>
<b>14</b>	<b>Example – Certificate of Location - Placer Mining Claim.....</b>	<b>30</b>
<b>15</b>	<b>Annual Requirements to Maintain a Mining Claim/Site .....</b>	<b>31</b>
<b>16</b>	<b>Maintenance Fees .....</b>	<b>32</b>
<b>17</b>	<b>Maintenance Fee Waiver Certification .....</b>	<b>41</b>
<b>18</b>	<b>Example – Maintenance Fee Waiver .....</b>	<b>42</b>
<b>19</b>	<b>Annual Assessment Work.....</b>	<b>47</b>
<b>20</b>	<b>Example – Affidavit of Assessment Work.....</b>	<b>48</b>
<b>21</b>	<b>Notice of Intent to Hold .....</b>	<b>53</b>
<b>22</b>	<b>Example – Notice of Intent to Hold (NOI) .....</b>	<b>54</b>
<b>23</b>	<b>Mining Claims &amp; Sites - Rules &amp; Regulations .....</b>	<b>55</b>
<b>24</b>	<b>Classification of Operations in the State of Colorado .....</b>	<b>62</b>
<b>25</b>	<b>Mining Operations on BLM Land .....</b>	<b>63</b>
<b>26</b>	<b>BLM Field Office Contact Information.....</b>	<b>67</b>
<b>27</b>	<b>US Forest Service District Office Contact Information .....</b>	<b>69</b>
<b>28</b>	<b>Federal Regulations On-line .....</b>	<b>71</b>

# 1 Notice To Mining Claimant

The mining laws permit the prospector and miner to make reasonable use of a mining claim as long as the use is incident and necessary to prospecting, mining and processing operations under the 43 CFR [3809](#) & [3715](#) regulations. However, an erroneous impression sometimes exists to the effect that the act of staking a mining claim is the shortest route to obtaining public land for a home site, weekend retreat, or other similarly unlawful purpose.

The United States has paramount ownership in the land in which it has a duty and right to protect against waste and unauthorized use. A mining claimant has merely a possessory interest in a valid location, for the purpose of mining until his location is canceled.

Any use of the surface for the purpose of mining on an unpatented claim is only allowed by permit. Use of the surface for purposes unrelated to mining is unauthorized and therefore, considered to be in trespass. Whether the claim is valid or invalid, the Bureau will proceed to terminate the unauthorized use and collect any damages from the beginning of the wrongful occupancy.

The unauthorized use of a mining claim can become a very serious problem for the claimant, particularly when a valuable improvement is constructed or placed on an unpatented claim. A person stands to lose all of his/her investment because of such trespass action. In many cases, we have found that unauthorized use began because of the claimant's lack of knowledge of the mining laws. Therefore, we are cautioning owners of mining locations in an effort to prevent any future difficulties and to encourage the proper use of public lands.



## 2 So, You Want To Locate a Mining Claim

1. Before you can locate a mining claim or site, you must determine if the lands are in fact open to location and mineral entry. A mining claim cannot be located in areas closed to mineral entry under the authority of specific laws, regulations, and/or public land orders. These lands are referred to as withdrawn lands. A mining claim/site cannot be located on private land where the Federal Government does not own the mineral estate. The BLM Colorado State Office Public Room and the BLM Field Offices have the appropriate surface management and surface/mineral management status maps, land use plats and other records readily available to help you make this determination.
2. On lands open to mineral entry, you may prospect and properly locate mining claims and sites. The type of mining claim/site you locate is dependent on the type of mineral you are seeking. If the lands have already been claimed, it is strongly advised that you choose a different location. Mining claims/sites size and descriptions are briefly described below:
  - Placer Claim: Rock not in original place (river sands or gravel); may not exceed 20 acres per individual claimant; maximum size is 160 contiguous acres with at least 8 locators; must be described by aliquot part; if in un-surveyed township must state the quarter section, can be described by a metes & bounds description & must provide a map/sketch describing the location of the claim accurately enough for BLM to locate it on the ground ([43 CFR 3832.12 and 3832.21](#)).
  - Lode Claims: Veins, ledges, or other rock in place; not to exceed 1500 ft. by 600 ft.; must state the quarter section and be accompanied by a map/sketch describing the location of the claim by a metes & bounds description accurately enough for BLM to identify the claim on the ground. ([43 CFR 3832.21\(a\)](#)).
  - Mill Site: Non-mineral land not contiguous to vein or lode & used for activities related to mineral development of associated lode or placer, or for independent milling or reduction; not to exceed 5 acres. Description of the location of the site can be by aliquot part or metes & bounds ([43 CFR 3832.33](#)).
  - Tunnel Site: Subsurface right-of-way used for access to lode claims or exploration of undiscovered lodes; not to exceed 3000 ft. in length with a radius of 1500 ft. ([43 CFR 3832.41](#)).
3. If your parcel of land is open to mining, the next step is staking the claim. Federal law specifies that claim boundaries must be distinctly and clearly marked and readily identifiable.
4. A certificate of location (COL) is necessary to record mining claims/sites. A separate COL is required for each mining claim/site recorded. There is not an official form for the State of Colorado, using a COL form from another state is acceptable. The federal regulations at [43 CFR 3833.11](#), requires the following information must be provided on a COL:
  - Name and Address of all Locators
  - Date of Location
  - Type of Mining Claim or Mining Site
  - Name of Mining Claim/Site
  - Location of the Mining Claim/Site – Legal Description

- Size of Mining Claim/Site - Acreage
5. The certificate of location (COL) must be recorded in the county clerk and recorder's office (where the claim is located) and the BLM Colorado State Office.
    - In Colorado, the deadline for recording COL in the county clerk and recorder's office from the date the claim is located is 30 days if it's a placer claim, and 90 days if it's a lode claim.
    - The deadline to file COL with the BLM Colorado State Office, from the date the claim is located is 90 days for all claims and sites.
  6. The fees to file all new mining claims/sites with the BLM Colorado State Office are:
    - \$37 Location Fee (refundable)
    - \$20 Processing Fee\* (nonrefundable)
    - \$155 Maintenance Fee\*\* (per 20 acres for association placers, see below) (refundable)
    - Total Fees Required: \$212 \*\*

### **Association Placer Claims**

\$155 maintenance fee for each 20 acres or portion thereof as shown in the table below:

<b>Acreage in the Claim</b>	<b>Maintenance Fee Payment Due</b>
<= 20 acres	\$155.00
> 20 acres and <= 40 acres	\$310.00
> 40 acres and <= 60 acres	\$465.00
> 60 acres and <= 80 acres	\$620.00
> 80 acres and <= 100 acres	\$775.00
> 100 acres and <= 120 acres	\$930.00
> 120 acres and <= 140 acres	\$1,085.00
> 140 acres and <= 160 acres	\$1,240.00

7. A yearly maintenance fee is required, by the annual deadline, to maintain ownership of the claim.

Additional information can be found in this BLM Colorado Mining Claim Packet, the pamphlet "[Mining Claims and Sites on Federal Lands](#)", and by contacting the BLM Colorado State Office Public Room, at 303-239-3600 or by email at: [co\\_info@blm.gov](mailto:co_info@blm.gov).

### 3 Mining on Public Land - Frequently Asked Questions

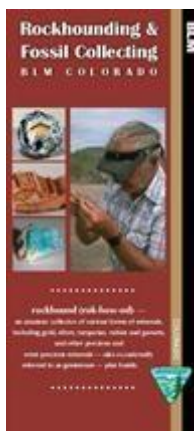
#### 1. What rules apply to gold panning?

**Answer:** Gold panning is allowed on BLM lands without special permits, unless expressly prohibited. Gold panning is considered casual use. Casual use is defined as those activities that cause little or no surface disturbance (43 CFR 3809.5(1&2)).

There may be special rules that apply to certain areas including, but not limited to, the Arkansas River area. Contact the Surface Management Agency's field office with jurisdiction over the area where you intend to gold pan for further guidance before you begin.

#### 2. I want to go rockhounding on public land; do I need a mining claim to legally collect?

**Answer:** No.



#### BLM Colorado, Rockhounding & Fossil Collecting

Refer to the brochure for additional information and contact the local Federal Surface Management Agency with additional questions.

#### 3. I have a favorite place on public land where I dig for minerals, but I don't find many that I take with me. Does this activity still qualify as rockhounding?

**Answer:** It may qualify as casual use according to BLM regulations. Check with the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety for guidance.

#### 4. Does an active mining claim guarantee me rights to extract minerals without a bond?

**Answer:** No.

Prior to conducting surface-disturbing activities, contact the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety to ensure the proper paperwork is filed and the appropriate financial guarantees are secured.

## 5. Do I need a mining claim to suction dredge on public land?

**Answer:** It depends on the area.



Contact the BLM field office with jurisdiction over the land where the prospective operation will occur **BEFORE** beginning any activity beyond casual use to determine what level of operation your activity is classified.

For example: the BLM [Grand Junction Field Office](#) and the [Royal Gorge Field Office](#) have designated rules and locations for suction dredging and other mechanical placer operations. A Notice of Intent (NOI) for work in these areas can be obtained by contacting these field offices.

## 6. Is a patented mining claim private property?

**Answer:** Yes.

## 7. Is an unpatented mining claim considered real property?

**Answer:** Yes.

The discovery of a valuable mineral deposit within the limits of a mining claim located on public lands in conformance with state and Federal statutes validates the claim; and the locator acquires an exclusive possessory interest in the mineral deposits within the claim.

Further, the claim is property in the fullest sense of that term; and may be sold, transferred, mortgaged, and inherited without infringing any right or title of the United States...so long as he complies with the provisions of the mining laws. *United States Supreme Court case of Wilbur v. U.S. ex rel Krushnic, 280 US 306 (1930).*

The owner of an unpatented claim is entitled to mine, remove and sell all valuable mineral deposits within his claim boundaries provided he follows the regulations for Surface Management under 43 CFR 3809, and is entitled to such surface rights necessary for mining operations.



**8. Can I file a mining claim to get my own land in the mountains?**

**Answer:** No.

A mining claim on public lands is a "possessory mineral interest." This means that a mining claimant has a limited right to the location for mining or milling purposes only. No deed accompanies this right.

If the surface use is not otherwise encumbered, anyone may enter upon a claim on public lands for any purposes other than mining locatable minerals.

**9. If I file a mining claim can I eventually obtain title (patent) to the land?**

**Answer:** No.

As of October 1, 1994, Congress imposed a moratorium on spending appropriated funds for the acceptance or processing of mineral patent applications that had not yet received First Half Final Certificate (FHFC) or were not in Washington, D.C. for Secretarial review of FHFC on or before September 30, 1994. Until the moratorium is lifted, the BLM will not accept any new applications.

**10. Who can locate a mining claim?**

**Answer:** United States Citizens and those who have filed an application for citizenship as well as business entities organized under the laws of any state (43 CFR 3830.3) can locate a mining claim.

The steps to locate a mining claim/site are summarized on our website and within the brochure [Mining Claims and Sites on Federal Land](#).

**11. Is the General Mining Law of 1872, as amended still in effect?**

**Answer:** Yes.

The General Mining Law of 1872 as amended regulates mining on public land. Budget Acts by Congress, portions of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, and the Surface Resources Act of 1955 affect this law.

Further, the Federal regulations for unpatented mining claims/sites on Public Land may be found in the Code of Federal Regulations (CFR) under Title 43 "Public Lands," Section 3802, 3809, and 3830.

**12. I want to locate a mining claim/site on US Forest Service (USFS) land; do I follow the same procedure to locate?**

**Answer:** Yes.

The regulations and procedures to locate and maintain a mining claim/site on Federal land are the same for BLM and USFS land.

However, the regulations and procedures to begin mining operations are different depending on the Surface Management Agency (BLM or USFS). Contact the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety office prior to conducting surface-disturbing activities on your mining claim.

### **13. Is there information on the location of unpatented mining claims/sites available on-line?**

**Answer:** Yes.

Current information on unpatented mining claims may be found by searching the LR2000 database, at <http://www.blm.gov/lr2000>. A query for active or closed mining claims/sites may be run by selecting a report under the title "Public Mining Claim Reports." If you have questions regarding running a LR2000 report, contact our Public Lands Information Center (Public Room) at 303-239-3600, Monday through Friday from 9am to 4pm.

### **14. Can I determine the exact location of the claim using LR2000?**

**Answer:** No.

The exact location of the claim can be found by locating the claim markers on the ground. Requesting a copy of the certificate of location and map from the official case files kept in the Dockets Library, may be helpful as a guide to locating the claim markers.

All documents within an official mining claim case file may be copied for the public. A fee of \$0.15 per page is assessed for copy work (additional fees for oversize documents). The documents may also be scanned for \$0.15 per page, and emailed to you. Contact the BLM Colorado Dockets Library at 303-239-3615 for more information.

### **15. How can I get information on mining claims that date back to the early 1800's or 1900's?**

**Answer:** Research the General Land Office Records website or land status records on microfiche in the Public Lands Information Center (Public Room).

Historic mining claim information may be found online at the General Land Office Records website ([www.gloreCORDS.blm.gov](http://www.gloreCORDS.blm.gov)) or by contacting the Public Room at 303-239-3600.

In order to do an effective search you will need to have some basic information on the mining claim, such as legal description, Mineral Survey number, or the original patent serial number. Records of official surveys as well as original patents are available.

### **16. Will I need a bond for my mining operation?**

**Answer:** Yes, if the level of activity of your operation is anything other than casual use. In addition, the bond will be determined by the location and activity level of your operation.

Contact the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety office prior to conducting surface disturbing activities.

## **17. How does the BLM classify a mining operation?**

The extraction of minerals on BLM land is generally identified by three levels of surface-disturbing activity as well as by any intended commercial use (sales).

### **CASUAL USE**

Casual use prospecting includes those activities that cause very little or no disturbance, for example: collection of geochemical, rock, soil, or mineral specimens using hand tools; hand panning; or non-motorized sluicing. It also generally includes use of metal detectors, gold spears and other battery-operated devices for sensing the presence of minerals, and hand and battery-operated dry washers. Operators may use motorized vehicles for casual use activities only if the use is consistent with the regulations governing such use (part [43 CFR 8340](#)), including following off-road vehicle use designations and temporary closures ordered by the BLM. Casual use operations do not require notification of the BLM except where specific land use or recreation area plans call for a recreational mining permit. You must reclaim any casual use disturbance that you create.

### **NOTICE LEVEL**

Notice level prospecting means any prospecting operation that is motorized, mechanized, uses explosives, or is reasonably expected to result in greater land disturbance than is caused by the ordinary, lawful use of the land by persons not prospecting. To conduct notice level prospecting, you must file a Notice of Intent to Conduct Prospecting Operations (NOI) with the appropriate BLM field office, as defined in [43 CFR 3809](#) regulations. The operator will be required to provide a financial guarantee warranty for reclamation costs of the prospecting operations, which is filed and held by Colorado Division of Reclamation, Mining and Safety (CDRMS) in the form of a cash bond or a corporate or insurance instrument.

### **PLAN OF OPERATION LEVEL**

An approved Plan of Operations is required for exploration activities disturbing more than five acres, bulk sampling of 1,000 tons or more, and all proposed mining or milling operations (regardless of the acreage disturbed). A plan is required for any operation causing surface disturbance greater than casual use in special status areas as defined in [43 CFR 3809.11](#). Financial warranty must be supplied for all plan level operations.

## **18. As the BLM and the USFS are both Federal agencies, are their regulations for mining operations the same?**

**Answer:** No.

The regulations for mineral activity on Federal land are issued by each Federal Surface Management Agency. This means the Federal regulations will be different according to the Federal agency who manages the surface estate.

## **19. Are there additional State of Colorado regulations for prospecting and mining operations on Federal land?**

**Answer:** Yes.

We recommend you discuss your plans to prospect as well as plans to operate your mine with the local Federal office and the State of Colorado Division of Reclamation, Mining and Safety prior to any activity.

In addition to state regulations, there may be other agencies with whom you should contact prior to mining, depending on the location and activity you intend to complete.

## **20. What is Sustainable Development?**

**Answer:** The idea that we develop today to meet the needs of the present generation without compromising the ability of future generations to meet their own needs.



### **Sustainable Development and Your Mining Operations Making it Work for Company, Community, and Society**

Sustainable development can be applied to mining operations to be more sustainable socially, environmentally, and economically.

## **21. Who do I contact if I have questions about my mining operation?**

**Answer:** Contact the BLM field office or USFS ranger district office that has jurisdiction over the location where you propose surface-disturbing activities. In addition, you must contact the State of Colorado Division of Reclamation, Mining and Safety.

## **22. What is involved in reclamation of a mining claim?**

**Answer:** *Reclamation* is the rehabilitation of mined land in order to mitigate the adverse environmental effects of mining.

Components of reclamation include:

1. Isolation, control, or removal of acid-forming, toxic, or deleterious substances;
2. Regrading and reshaping to conform with adjacent landforms, facilitate revegetation, control drainage, and minimize erosion;
3. Rehabilitation of fisheries or wildlife habitat;
4. Placement of growth medium and establishment of self-sustaining revegetation;
5. Removal or stabilization of buildings, structures, or other support facilities;
6. Plugging of drill holes and closure of underground workings; and
7. Providing for post-mining monitoring, maintenance, or treatment.



**23. If I file a mining claim/site over a historic mining site, do I have any rights to the abandoned equipment?**

**Answer:** No.

If an abandoned mining claim is subsequently relocated and the relocater removes, damages or uses property left on the abandoned claim, he/she may be subject to civil and criminal liability. Unauthorized removal and/or sale of property abandoned by a prior locator on an unpatented mining claim can constitute a criminal act under 18 USC 641.

**24. If the boundaries of private land or a withdrawn area such as a wilderness area are not marked on the ground, am I still responsible for trespassing?**

**Answer:** Yes.

In the State of Colorado, there is no law that land owners must mark the boundary of their land. It is the claimant's responsibility to determine their location in relation to the private property or withdrawn land to avoid trespassing. You are responsible for knowing your location.

## 4 County Clerk & Recorder Filing Requirements

### New Mining Claims & Sites:

The certificate of location (COL) must be recorded in the county clerk and recorder's office (where the claim is located) and the BLM Colorado State Office.

- In Colorado, the deadline for recording certificates of location in the county clerk and recorder's office from the date the claim is located is 30 days if it's a placer claim ([C.R.S. 34-43-112](#)), and 90 days if it's a lode claim.
- The deadline to file certificates of location with the BLM Colorado State Office, from the date the claim is located is 90 days for all claims and sites.

### Annual Filings:

In addition to filing with the BLM, you must file your Affidavit of Assessment Work ([Form 3830-004](#)) or Notice of Intent to Hold with the county recorder's office ([C.R.S. 34-43-114](#)).

If you paid the Maintenance Fee in lieu of performing assessment work on the mining claim(s)/site(s), indicate this and the date of payment on the county filing.

The Colorado Revised Statutes are available on-line at the [Colorado General Assembly](#) website.

**BE ALERT!**

**FILING REQUIREMENTS ARE SUBJECT TO CHANGE!**



As an owner of Federal unpatented mining claims/sites you are responsible for keeping yourself informed of the changes in the filing requirements and the mining laws. Congress may pass legislation affecting filing requirements and the procedure may change.

## 5 Mineral Areas in Colorado

**Agate** – Near Canon City, Fremont County; Manitou Springs, El Paso County; along Roaring Fork near Aspen; and near Pitkin County. Agatized gastropods and pelecypods may be found in the Laney Member of the Green River Formation in Sand Wash Basin, (Royal Gorge FO, Glenwood Springs FO, Little Snake FO)

**Alabaster** – Owl Canyon, Larimer County (See Aragonite pseudo-morph)

**Amazonite** – Near Manitou Springs, El Paso County (Royal Gorge FO)

**Amethyst** – Along Twelve Mile Creek, Fremont County; Creede & Mineral Counties (Royal Gorge FO)

**Aragonite** – Pseudo-morphs, Owl Canyon (Royal Gorge FO)

**Aquamarine** – In pegmatite on Mount Antero, Chaffee County (Royal Gorge FO)

**Barite Roses** – Tertiary White River Group, in siltstones (Royal Forge FO)

**Beryl** – Near Ohio City, Gunnison County; Crystal Mountain, Larimer County; in pegmatite on Mount Antero; also mined in Chaffee County; near Wilkerson Pass, Park County (San Juan FO, Royal Gorge FO)

**Calcite** – See Sand Crystals

**Chalcedony** – Near Glenwood Springs, Garfield County; near Wagon Wheel Gap, Mineral County (Royal Gorge FO)

**Chert** – Browns Park Formation, massive chert beds west of Little Snake River. Red chert concretions in the limestone of the Ft. Morgan Formation (Little Snake FO, Royal Gorge FO)

**Copper Minerals** – Most fissure veins in small amounts in Rocky Mountains, notably San Juan area near Telluride; Battle Mountain, Eagle County; mined in west Montrose County (San Juan FO)

**Corundum** – Near ghost town of Turret, Chaffee County (Royal Gorge FO)

**Garnet** – Ruby Mountain and near ghost town of Turret, Chaffee County, and near Canon City, Fremont County

**Gemstones** – Clear Creek, Conejos, in Jefferson Lake, La Plata, Mineral, Saguache, and San Juan Counties

**Gold** – Occurs in most fissure veins located in the Colorado Rocky Mountains. Gold panning along the Arkansas River below Buena Vista (Royal Gorge FO)

**Lapis-lazuli** – Italian Mountain, Gunnison County (Gunnison FO)

**Microcline** – Crystal Park, Teller County (Royal Gorge FO)

**Opal** – Tertiary Ash Hollow Member of the Ogallala Formation. Pebbly sand and silt firmly cemented by calcium carbonate or locally opal. (Royal Gorge FO)

**Phenacite** – In pegmatites on Mount Antero, Chaffee County; Crystal Park, Teller County (Royal Gorge FO)

**Rose Quartz** – Along Turkey Creek, Fremont County (Royal Gorge FO)

**Sand Crystals** – White River Group in siltstone beds (Royal Gorge FO)

**Selenite Crystals** – Fort Union coals, Shell Creek. Eagle Valley Evaporite, Gypsum (Little Snake RA, Glenwood Springs RA)

**Silver** – Occurs in Colorado from almost pure metallic or “native silver” to silver salts or chloride of silver. Most metallic deposits, in fissure veins or bedded areas, also contain lead, copper, gold or zinc ores (Western Colorado)

**Smoky Quartz** – Crystal Park, Teller County (Royal Gorge FO)

**Stromatolite Crystals** – See Selenite

**Topaz** – Ruby Mountain, Chaffee County, and near Ohio City, Gunnison County; Cheyenne Canyon, El Paso County; Crystal Park, Teller County (Royal Gorge FO)

**Tourmaline** – Near Ohio Creek, Gunnison County; Royal Gorge, Fremont County; Crystal Mountain, Larimer County (Royal Gorge FO)

**Turquoise** – East of Manassa, King Mine, Conejos County; near Villa Grove, Saguache County; 30 miles west of Leadville in the Holy Cross Mining District; 7 miles northeast of Leadville in the St. Kevin District; just below ridge crest between Turquoise Lake and northerly drainage basin; Joise May Mine (Royal Gorge FO)

**Zinc Minerals** – Most fissure veins in the Rocky Mountains, notably Battle Mountain, Eagle County (Glenwood Springs FO)



## **6 Access To: Colorado Public Lands**

More than one-third of Colorado's land area is owned by the public and available for public use. These public lands are managed by several federal and state agencies and local governments. Knowing about access and trespass can avoid problems among users and owners of lands, both public and private, in Colorado. This information is intended to promote public awareness concerning access to public lands with minimum interference to adjacent private landowners.

### **FEDERAL PUBLIC LANDS**

The primary federal land management agencies in Colorado are the Bureau of Land Management (BLM), the [U.S. Forest Service \(USFS\)](#) and the [National Park Service \(NPS\)](#). National Parks and Monuments usually charge a fee for entry. While camping and many forms of recreation are encouraged, hunting and some other outdoor activities are restricted. Contact local NPS offices for specific information.

The BLM manages 8.4 million surface acres and the USFS manages 14.3 million acres in Colorado. These lands are available for a variety of recreational uses; such as hunting, fishing, wildlife viewing, hiking and camping; along with other authorized uses such as livestock grazing, timber harvest and mineral development.

#### **How do I gain access to federal public lands?**

Legal access to federal land is provided by a system of public and agency roads and trails. Public roads are intended to meet the transportation needs of the public user. Generally, a public road is any federal or state highway or county road administered by the state or county. BLM and USFS roads and trails are maintained for the administration and use of federal lands. Although generally open to the public, agency officials may restrict or control the use of these roads. Restrictions may be imposed for protection of sensitive or critical resources or to meet specific management needs. Land management agencies do not always have legal rights-of-way on all access roads or trails entering federal lands.

Authorized private use of federal land, such as livestock grazing, does not allow the lessee to post or sign the land as being private. The lessee of federal lands cannot deny legal access or charge an access fee for others to use such lands.

### **STATE TRUST LANDS**

The Public Access Program is a lease arrangement between the [Colorado Parks and Wildlife](#) and the [State Land Board](#) which began in 1993. The Public Access Program allows public access to specific State Trust Lands and has opened up to the public over half a million acres of lands which had no public access previously. Most recently, the State Land Board and the Colorado Parks and Wildlife entered a 7 year lease in 2006 to allow public use of approximately 550,000 acres of State Trust Lands with wildlife values for wildlife-related recreation.

Through this lease agreement, these lands are available to the public for a specified time during the year for hunting, fishing and other wildlife-related activities. The State Trust Lands leased for this program are not open year-round because they are also leased to other users during the year. The lands may have several lease activities occurring on them during the year which includes farming, livestock grazing, mining and logging.

The public is reminded to respect the rights of other users and lessees on State Trust Lands and to abide by state rules so the lands can remain open for future wildlife recreation. State Trust Lands not leased for this program are not open for public access.

Most of these leased State Trust Lands are not accessible by motor vehicle, all-terrain vehicles (ATVs) or snowmobiles, and there are restrictions on camping, parking and off-road driving. Hunters should consult the State Trust Lands brochure for rules and property-specific information. Parcels are open only from September 1 through the end of February, unless otherwise stated in the brochure.

The source for the above information on state trust lands can be found by visiting the Colorado Parks & Wildlife website at [www.wildlife.state.co.us](http://www.wildlife.state.co.us); continue by selecting the heading titled land and water, then State Trust Lands.

## **PRIVATE LANDS**

Two-thirds of the land area of the State of Colorado is privately owned. It is unlawful to enter private lands in Colorado without permission of the landowner. Colorado law does not require private lands to be marked, fenced or posted in any manner. Depending on the circumstances, trespass in Colorado may be prosecuted as a misdemeanor or as a felony.

Additionally, the Colorado Revised Statutes state that "it is unlawful for any person to enter upon privately owned land or lands under the control of the State Board of Land Commissioners to take any wildlife by hunting, trapping, or fishing without first obtaining permission from the owner or person in possession of such land." The responsibility of knowing whether you are on private or public land is YOURS.

On non-navigable rivers and streams, the adjacent landowners' jurisdiction extends to the middle of the stream or river. Colorado law does allow floating access on a stream or river as long as no contact is made with the river bottom or shoreline while passing through (over) private lands.

### **How do I gain access to private lands?**

"ASK FIRST" to get access to private lands and please respect the property of others. Responsible visitors or users always respect the land, whether it is private or public, and take care to leave it the way they found it. The landowner has the right to deny access on or across private lands -and- may charge an access or user fee for the use of those private lands.

## **SIGNS**

Colorado law states that "no person may post, sign or indicate in any way that public lands within Colorado, not held under exclusive control or lease, are privately owned lands." It is unlawful to close a legal public access route or sign federal public lands with the intention of restricting public use. The BLM, USFS or Colorado Parks & Wildlife should be advised about access problems and the illegal posting of signs on Federal lands. Unless these situations are brought to the attention of agency officials, the problem cannot be corrected.

## **How do I recognize public access routes?**

Major access routes or points of access to federal public lands are usually identified by signs with an agency logo. Most USFS roads and many BLM roads are marked with signs bearing road numbers and white arrows depicting routes open to motorized travel or with signs giving mileage to a geographical location or recreation area. Access routes without signs will require that you have a detailed map showing landownership and roads/trails to identify legal access points.

## **What recourses are available if access problems arise?**

**Federal Agencies:** Report the incident immediately to the nearest USFS Ranger District office, or BLM field office, with specifics of the incident; particularly the exact location where the incident occurred. An Access Problem Identification Form has been developed for use in reporting incidents of this nature on federal lands. A copy of this form is available at field offices identified in this fact sheet.

**State Agencies:** The Colorado Parks & Wildlife will investigate state land access related problems and complaints which involve actions that are either illegal or contrary to State Land Board regulations and lease terms. If the problem/complaint can be documented and verified, the parties involved will be contacted and requested to immediately correct the situation. Non-compliance with lease terms and related Board regulations is grounds for lease cancellation. Non-compliance with the Board's public rules (such as off-highway vehicle use), vandalism, or property damage on state lands are grounds for arrest by any duly authorized peace officer and prosecution under pertinent Colorado statutes.

[Operation Game Thief](#): is a Colorado Division of Wildlife program, which pays rewards to citizens who turn in poachers. You can call toll-free within Colorado at 1-877-265-6648. This number is a crime stoppers line strictly for contacting law enforcement personal regarding wildlife violations.

This Page Intentionally Left Blank.



## 7

**UNITED STATES DEPARTMENT OF THE INTERIOR**

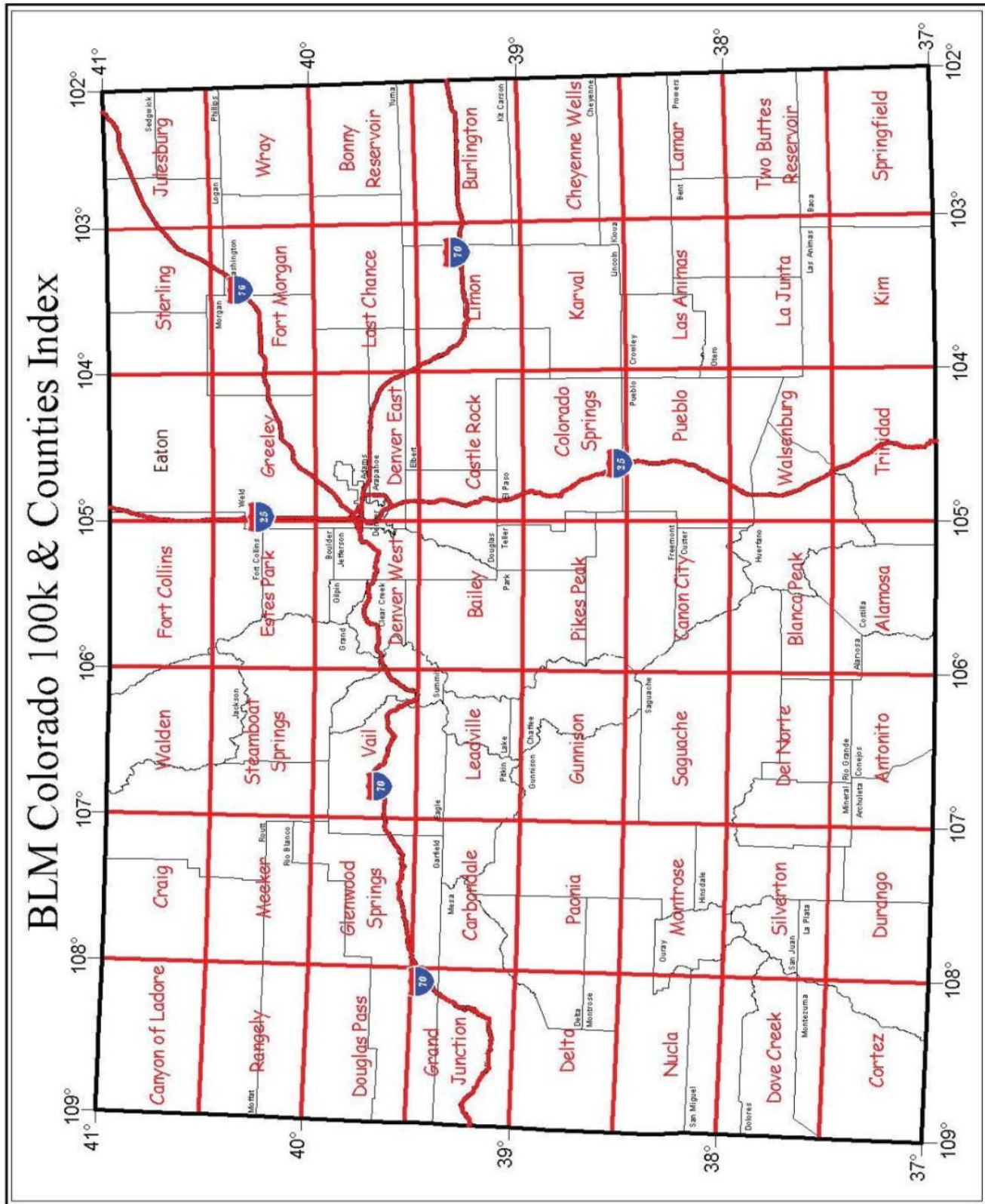
**Bureau of Land Management  
COLORADO STATE OFFICE  
2850 Youngfield St.  
Lakewood CO 80215**

The Bureau of Land Management (BLM) has Surface Management and Surface/Mineral Management map series available for the State of Colorado. These maps are at a scale of 1:100,000 and cover approximately 35 miles North/South and approximately 55 miles East/West. The maps are color coded to show land status (Federal, State, private or other agency). Maps do not show private landowner's names. Other features on the maps are transportation (roads, trails), topography (elevation, contours), rivers & lakes, towns and other man-made features. The Minerals version is shaded to indicate the status of federal mineral ownership. The maps are folded and are available at any Colorado BLM office for \$4.00 each plus shipping and handling. Maps showing the entire state of Colorado (at 1:500,000 and 1:1,000,000 scale) are also available at the same price. A volume discount applies when purchasing 50 or more maps from a BLM office or BLM internet sites. Discount Price: Mixed titles: 1-49, \$4.00 each, 50 plus \$2.40 each.

If you wish to purchase maps, please complete this order form. Calculate the postage and handling rate according to the scale below. Include proper payment with your order. Map orders will be filed immediately upon receipt of payment. If you wish to change your order to a credit card, please call (303) 239-3600 to place your order.

Name			Daytime Phone (    )		
Address					
City			State		Zip
Name of Map	Surface	Surface/Mineral	Quantity	Price	Total
				x \$4.00 EA	
				x \$4.00	
				x \$4.00	
				x \$4.00	
				x \$4.00	
				x \$4.00	
				x \$4.00	
				x \$4.00	
				x \$4.00	
Postage Rates For Maps	1 \$1.05	2 \$1.55	3 \$2.20		
	4 \$2.70	5 \$3.10	6-10 \$3.85		
	11-21 \$7.15	22-28 \$8.05	29-36 \$9.85		
	37-43 \$10.05	44-50 \$11.00	51-58 \$11.95		
	For Orders of 59 or More – Please Call for Rate				

**Make check or money order payable to Department of Interior, BLM and return this form with your remittance to the address listed at the top of this form.**



## 9 LR2000 Mining Claim Reports

<http://www.blm.gov/lr2000>



LR2000 uses pop-ups. You must allow pop-ups from this site ([www.blm.gov](http://www.blm.gov)), temporarily allow pop-ups, or disable your pop-up blocker. (From Internet Explorer menu bar, select Tools, Pop-up Blocker, Pop-up Blocker Settings), LR2000 is case sensitive: **USE UPPERCASE LETTERS.**

To run reports, select “**Run Reports**” in the left column

### MINING CLAIM: GEOGRAPHIC REPORT

Click on: **Pub MC Geo Report**

To run a full township, select **Meridian Township Range \***: Multiple meridians, townships & ranges – no sections.

To run by sections, select **Meridian Township Range Section\***: Multiple meridians, townships & ranges with sections (multiple sections allowed).

Note: for cases in Colorado, you don’t need to select “Geo State”; Click “Select Criteria

Click: **Set by Admin State**: select state, click “Close”.

Click: **Set by Case Disposition**:

To view both active and abandoned claims, click on ACTIVE, hold down Ctrl Key, and click CLOSED. Click “Close”

Click: **Set by Meridian Township Range or Meridian Township Range Section (whichever one you selected will appear).**

Select meridian from pull down menu.

Enter township and select direction (North or South)

Enter range and select direction (East or West)

After each MTRS entered, click: **Add to MTR List.**

When done, click “Select All” to highlight all descriptions, and click “Close”

Click: **Run Report** to process the report; if the criterion is what you want, click “OK”

The report will appear in another window or on another tab for viewing. To view the entire report so you can scroll through the pages easily click on “PDF” icon. The PDF version of the report will appear in a new window. Check the number of pages before printing. To print the report, click the printer icon, then click OK. Close the PDF window.

To view the Banner Page, in the upper left corner where it says LTT/990 CRUN click the down arrow and select Banner Page, then click Go. To print the Banner Page, click the “PDF” icon. After the PDF version of the Banner Page appears, click the printer icon, then click OK. Close the PDF window.

Close the Geographic Report window when you are done.

To select a different report, click “Return to Report Menu”

### **MINING CLAIM: SERIAL REGISTER PAGE**

Click on: **Pub MC Serial Register Page**

Select one of the following options:

- **Individual Serial Number(s)**: One serial number may be entered at a time; “CMC” must be entered.  
Example: CMC124536
- **Serial Number Range**: Allows the user to open several serial register pages at a time. Example:  
123456,123459 (no space after the comma)

Click “Select Criteria”

For an individual serial number, click “Set” at “Serial Number(s)”

In small window type the serial number

Click the green check mark; you may enter another serial number at this point.

When done, click “Select All” to highlight all the serial numbers.

Click “Run Report”, if the criteria is what you want, click “OK”.

For serial number range, click “Select Criteria”

Click: **Set** by **Admin State**: select state, click “Close”.

Enter the first and last serial number (without the prefix “CMC”) by entering number and then click on the green check mark.

When done, click “Select All” to highlight all serial numbers, and click “Close”

Click: **Run Report** to process the report; if the criterion is what you want, click “OK”

The report will appear in another window or on another tab for viewing. To view the entire report so you can scroll through the pages easily click on “PDF” icon. The PDF version of the report will appear in a new window. Check the number of pages before printing. To print the serial register page, click the printer icon, then click OK. Close the PDF window.

Close the Serial Register Page window when you are done.

To select a different report, click “Return to Report Menu”



## TIPS FOR USING LR2000

1. If your result is a blank page or “Total Rows Returned = 0” –This could mean that no data exists, or you made a data entry error of some sort. Check the banner page to be sure your selection criteria was correct (select Banner Page, click “Go”). Try running your report again with a wider criteria.
2. LR2000 is case sensitive. Make sure you use UPPERCASE letters at all times.
3. Be sure to enter zeros for numbers and capital O for letters.
4. Be sure to enter serial number correctly (without any leading zeros).
5. Click on the “Export to PDF” button to easily view your report and to print it. Be sure to check for the number of pages before you print the report.
6. Once you are done with your report, close PDF window, and close the first report window. You can then rerun a report by just changing the selection criteria.
7. If you want to run a different report, click on Return to Report Menu.
8. To cancel a report that is taking a long time to process, hold down the “**Alt**” key and “**End**” key together for at least 30 seconds. You will get a window that states that the query is canceled.
9. Select all the optional criteria you might need. You won’t have to start all over again if you forget to pick one.
10. When you ‘Set’ your criteria, you don’t have to ‘Close’ each option. Just click ‘Set’ on the next selection you want and it will automatically close the one before.
11. To highlight more than one selection on a pick list: hold down the **Ctrl** key while you click on selections to highlight multiple selections; to highlight a continuous range, click the first selection then hold down the **Shift** key and click the last selection you want.
12. If there is more than one report format available (i.e., different outputs or sort orders), you may select different format from the pull down menu, then click ‘GO’.
13. LR2000 uses pop-ups. You must allow pop-ups from this site ([www.blm.gov](http://www.blm.gov)), temporarily allow pop-ups, or disable your pop-up blocker.

## 10 General Land Office Records (GLO Records)

<http://www.glorerecords.blm.gov>

Click on: "Search Documents"

The screenshot shows the BLM General Land Office Records website. At the top, there's a header with "U.S. DEPARTMENT OF THE INTERIOR", "BUREAU OF LAND MANAGEMENT", and "General Land Office Records". Below this is a navigation bar with "Search Documents", "Reference Center", and "Support". A red arrow points to the "Search Documents" link. On the right side of the navigation bar is a "Shopping Cart" icon. Below the navigation bar, there's a "Search Documents" section with three tabs: "Search Documents By Type", "Search Documents By Location", and "Search Documents By Identifier". The "Search Documents By Type" tab is selected. On the left side of this tab, there's a vertical menu with "Patents", "Surveys", "LSR" (highlighted with a blue circle), and "CDI". The main search area has a "Search" box with a "Clear Form" button. Below the search box are three sections: "Location" with "State" (set to COLORADO) and "County" (set to Any County); "Land Description" with "Township" (set to 4), "Range" (set to 78), and "Meridian" (set to Any Meridian); and "Document Type" (set to Any Document Type). Below these sections is a "Search Land Status" button. To the right of the search fields, there's a "To search for land status records:" section with a list of four steps. A blue arrow points to the second step, "Fill in any desired criteria." Below the list, there's a note: "You can get a brief description of what each field means by hovering your mouse over it. You can get more detailed information by checking the Glossary in the Reference Center. For more tips and help, check out our Land Status Search Overview." At the bottom right, there's a note: "Note: This site does not cover every state. We do have resource links, though, for most states."

### LAND STATUS RECORDS

Land status records are used by BLM western state offices to document the ongoing state of a township's federal and private land regarding title, lease, rights, and usage. These documents include Master Title Plats, which are a composite of all federal surveys for a township. Other land status records include use plats, historical indices, and supplemental plats.

Click on: **LAND STATUS RECORDS (LSR).**

Select your **STATE** (Information will pull up without selecting a county).

In **LAND DESCRIPTION** enter the **township, and range** (Information will pull up without selecting a meridian).

Click on: **SEARCH LAND STATUS.**

Click on: **MASTER TITLE PLAT** or **HISTORICAL INDEX** to open it.

Click on: **VIEWER** that works best for you. This will allow you to navigate the plat.

# 11 Township Diagram

Form 9600-18  
(February 1979)  
(formerly 9180-19)

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

## TOWNSHIP DIAGRAM \*

Township	Range	Meridian	State
36	31	32	33
34	35	36	31
6	5	4	3
2	1	6	
12	7	8	9
10	11	12	7
18	17	16	15
14	13	18	
24	19	20	21
22	23	24	19
30	29	28	27
26	25	30	
36	31	32	33
34	35	36	31
6	5	4	3
2	1	6	

\* SCALE: 1 INCH = 1 MILE

## 12 Land Description Diagram

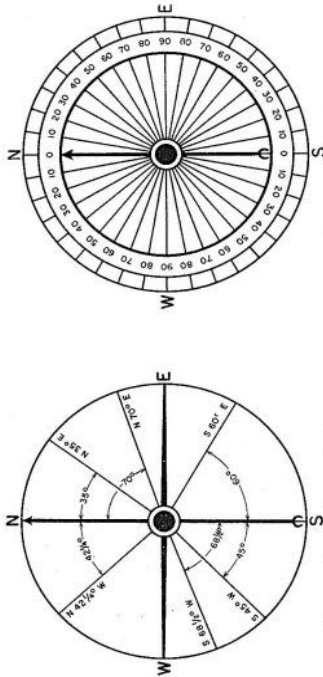
## Table of Land Measurements

LINEAR MEASURE	SQUARE MEASURE
1 inch = .0833 ft.	144 sq. in. = 1 sq. foot
7.92 inches = 1 link	9 sq. feet = 1 sq. yard
12 inches = 1 foot	30 $\frac{1}{2}$ sq. yds. = 1 sq. rod
1 vara = 33 inches	16 sq. rods = 1 sq. chain
2 3/4 feet = 1 vara	1 sq. rod = 27 $\frac{1}{2}$ sq. ft.
3 feet = 1 yard	1 sq. ch. = 4356 sq. ft.
25 links = 16 $\frac{1}{2}$ feet	10 sq. chs. = 1 acre
25 links = 1 rod	160 sq. rods = 1 acre
100 links = 1 chain	4840 sq. yds. = 1 acre
16 $\frac{1}{2}$ feet = 1 rod	43560 sq. ft. = 1 acre
5 $\frac{1}{2}$ yards = 1 rod	640 acres = 1 sq. mile
4 rods = 100 links	1 sq. mile = 1 section
66 feet = 1 chain	36 sq. miles = 1 Twp.
80 chains = 1 mile	6 miles sq. = 1 Twp.
320 rods = 1 mile	1 sq. mi. = 2.59 sq. kilm
8000 links = 1 mile	
5280 feet = 1 mile	
1760 yards = 1 mile	

## An Acre is:

43,560 sq. feet.  
165 feet x 264 feet.  
198 feet x 220 feet.

### LAND DESCRIPTION DIAGRAM



90 degrees in a right angle  
360 degrees in a circle

60 seconds equal one minute  
60 minutes equal one degree

<p>40 CHAINS 160 RODS 2840 FEET</p>	<p>20 CHAINS</p>	<p>80 RODS</p>
<p>40 CHAINS 160 RODS 2840 FEET</p>	<p>20 CHAINS</p>	<p>80 RODS</p>
<p>40 CHAINS 160 RODS 2840 FEET</p>	<p>20 CHAINS</p>	<p>80 RODS</p>
<p>40 CHAINS 160 RODS 2840 FEET</p>	<p>20 CHAINS</p>	<p>80 RODS</p>

[illegible]

Diagram showing division of tract  
into Townships

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

Sectional map of Township showing adjoining Sections

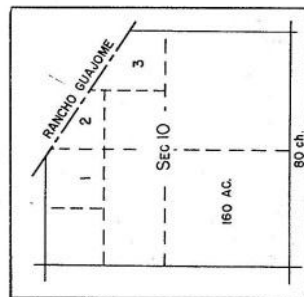


Diagram illustrating division of Fractional Section into Government Lots

## 13 Example - Certificate of Location - Lode Mining Claim

### CERTIFICATE OF LOCATION - (LODE CLAIM)

STATE OF COLORADO, County of Carbonate.

KNOW ALL BY THESE PRESENTS, that Joe Smith the undersigned citizens of the United States, whose legal address to be used for all correspondence regarding said claim is: (Claimant's Legal Address) has located and claimed this 20 day of July, 20  .

And by these presents do locate and claim by right of discovery and location, in compliance with the Mining Acts of Congress, approved May 10. 1872, and all subsequent acts, and with local customs, laws, and regulations, 1500 linear feet and horizontal measurement on the Retirement Fund LODE, vein, ledge or deposit, along the vein thereof, with all its dips, angles and variations, as allowed by law, together with 300 feet on the North side, and 300 feet on the South side of the middle of said vein, at the surface, so far as can be determined from present developments; and all veins, lodes, ledges or deposits and surface ground within the lines of said claim, 10 feet running East from the point of discovery monument and 1490 feet running West from the point of discovery monument; said discovery monument being situated upon said lode, vein, ledge, or deposit, and within the lines of said claim, in the \_\_\_\_\_ Mining District, County of Carbonate, and State of Colorado, described by metes and bounds as follows, to-wit:

Beginning at corner #1, **thence 600 feet south at 180° to corner #2, thence 1500 feet east at 90° to corner #3, thence 600 feet north at 0°, to corner #4, thence 1500 feet west at 270° back to corner #1, place of beginning.**

**Tie Point:** Beginning at T3S R72W survey monument for corner of sections 4,5,8,9, thence 3587 feet at 225° to claim corner #1.

This claim would be situated in the SW & NW Quarter, of Section 8, Township 3S, Range 72W, of the 6<sup>th</sup> Meridian.

Said lode was located on the 20 day of July, 20  .

Claimants Name and/or Signature

BLM SERIAL NO.: CMC# 123456

## 14 Example – Certificate of Location - Placer Mining Claim

### CERTIFICATE OF LOCATION - (PLACER LOCATION)

☐ Claim is located in P.L. 359 Powersite Withdrawl

KNOWN ALL BY THESE PRESENTS:

That: Joe Smith  
Bob Right  
Darryl Dunston

**\*\* We need the legal address for each claimant listed above, attach a separate paper to the COL if necessary.\*\***

the undersigned citizens of the United States, residents of the County of Carbonate, State of Colorado, having complied with the provisions of Chapter 6, Title XXXII, of the Revised Statutes of the United States, and with the local customs, laws and regulations, claim by right of discovery and location, the Retirement Fund Placer Claim, situate, lying and being in \_\_\_\_\_ Mining District, County of Carbonate, State of Colorado, described by metes and bounds as follows to wit:

NE ¼ SW ¼, S15, T 3S, R 75W, 6<sup>th</sup> PM; area 40 acres.

Said placer claim was located on the 20 day of July, 20  .

ATTEST:

Claimant(s) Name(s) and/or Signature(s)  
Claimant(s) Name(s) and/or Signature(s)  
Claimant(s) Name(s) and/or Signature(s)

BLM SERIAL NO.: CMC# 123456.



### Annual Requirements

### Maintenance of a Mining Claim/Site

There is now a webpage for mining claimants in Colorado where important information will be posted involving the mining laws. The page is titled [Current Announcements](#). Please check back often as we will keep the page current to improve customer service to Colorado mining claimants.

#### Where to File?

All payments and filing requirements must be made to:

Bureau of Land Management  
Colorado State Office  
2850 Youngfield Street  
Lakewood, CO 80215-7076

**\*\* We do not accept electronic filings \*\***

#### Where to find a form?

The most current mining claim forms are available at the [BLM eForms](#) website.

**BE ALERT!**

**FILING REQUIREMENTS ARE SUBJECT TO CHANGE!**



As an owner of Federal unpatented mining claims/sites you are responsible for keeping yourself informed of the changes in the filing requirements and the mining laws. Congress may pass legislation affecting filing requirements and the procedure may change.

## 16 Maintenance Fees

**Due: September 1**

The Secretary has authorized an increase in the annual maintenance fee for mining claim(s)/site(s) on Federal land. These adjustments reflect changes in the Consumer Price Index (CPI). The final rule was published in the Federal Register on June 30, 2014 ([79 FR 36662](#)).

### Maintenance Fees for Lode Claims or Mining Sites

The claimant must pay the **\$155** maintenance fee payment for each lode mining claim or mining site by September 1 of each year.

The claimant may use the new form available titled Maintenance Fee Payment Form for Lode Claims, Mill Sites, and Tunnel Sites (**Form 3830-5 June 2014**), or provide a list of the claim/site name(s) and BLM serial number(s) for which the fees are being paid

### Maintenance Fees for Placer Mining Claims

All existing placer mining claims that contain more than 20 acres will pay the annual maintenance fee based on the total acreage in the claim as follows:

Acreage in the Claim	Maintenance Fee Payment Due
<= 20 acres	\$155.00
> 20 acres and <= 40 acres	\$310.00
> 40 acres and <= 60 acres	\$465.00
> 60 acres and <= 80 acres	\$620.00
> 80 acres and <= 100 acres	\$775.00
> 100 acres and <= 120 acres	\$930.00
> 120 acres and <= 140 acres	\$1,085.00
> 140 acres and <= 160 acres	\$1,240.00

Key: <= means "less than or equal to"; > means "more than."

Claimants may use the new form available titled, Maintenance Fee Payment Form for Placer Mining Claims (**Form 3830-5a June 2014**), or provide a list of the claim/site name(s) and BLM serial number(s) for which the fees are being paid.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**MAINTENANCE FEE PAYMENT FORM FOR  
LODE CLAIMS, MILL SITES, AND TUNNEL SITES**

Remitter Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

☐ **Check here if this is a change of address.**

**FOR COUNTY RECORDER'S USE**

No. of claims/sites \_\_\_\_\_

x \$155 per claim/site

Total due BLM \$ \_\_\_\_\_

1. The maintenance fee may be paid by cash, check, money order, Bureau of Land Management (BLM) Declining Deposit Account, or credit card (VISA, American Express, Discover, or MasterCard). Payments must be remitted to the BLM State Office where your claim or site is recorded and received on or before September 1. If the payment is mailed, the envelope must be postmarked by a bona fide delivery service on or before September 1 and received at the proper BLM State Office within 15 calendar days after the due date. Payments may also be made by telephone using a credit card. A complete listing of BLM State Offices with their addresses and phone numbers can be found at <http://www.blm.gov>.
2. The maintenance fee for the following claim(s)/site(s) applies to the assessment year \_\_\_\_\_.

CLAIM/SITE NAME	BLM SERIAL NO.

Use a separate sheet for additional claim/site names, serial numbers, and claimant names and addresses.

## INSTRUCTIONS

1. This is an optional form that may be used to satisfy the requirements for the Bureau of Land Management (BLM) under the provisions of 43 U.S.C. §1744 and 30 U.S.C. §28f and the regulations thereunder (43 CFR part 3834). Since local and State laws may vary, you should contact your local and State agencies where the claims are located to ensure all applicable laws and requirements are satisfied.
2. This form should be used to pay the maintenance fee for lode mining claims, mill sites, and tunnel sites only. To pay the maintenance fee for placer mining claims, use Form 3830-5a.
3. Complete the section for the number of claims and the amount being remitted to the BLM.
4. Enter the year in paragraph 2 for the applicable assessment year.
5. List all mining claim or site names and the BLM serial number associated to the claim or site, if the BLM has notified you what the serial number is. Every attempt should be made to include the current BLM serial number for each claim or site listed.
6. The name and current mailing addresses of the person paying the maintenance fee(s) should be listed at the top of the form. If this is a change of address for a claimant, that should also be noted.
7. If needed, an additional sheet can be used to continue listing claim and site names and BLM serial numbers, or the name and current mailing address of additional claimants.
8. If paying by credit card, you must complete the following credit card information on page 3: (a) exact name on the face of the credit card; (b) amount paid; (c) type of card; (d) credit card number; (e) expiration date of the card; and (f) telephone number. You must also sign on page 3 to show authorization to charge the credit card.

## NOTICES

**THE PRIVACY ACT** and 43 CFR 2.48(d) require that you be furnished with the following information in connection with the information requested by this form.

**AUTHORITY:** 30 U.S.C. 28f and 43 CFR part 3834 permit collection of the information requested by this form.

**PRINCIPAL PURPOSE:** The BLM will use the information you provide to record the annual maintenance fee payment for the claims and sites listed and to verify that payment has been made in accordance with 30 U.S.C. 28f and 43 CFR part 3834.

**ROUTINE USES:** The BLM will only disclose this information in accordance with the provisions at 43 CFR 2.56(b) and (c).

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is required by 30 U.S.C. 28f and 43 CFR part 3834 for claimants paying the annual maintenance fee. The use of this specific form when paying the maintenance fee is optional. However, when paying the maintenance fee, it is the requested information on this form that is required to be submitted along with the fee. Failure to submit all the required information will delay the BLM's processing of the information and may preclude the BLM's acceptance of the maintenance fee payment, which may result in forfeiture of the mining claim(s) or site(s) by the claimant.

**COMPLETE THE FOLLOWING FOR CREDIT CARD PAYMENTS:**

Exact name as shown on credit card: \_\_\_\_\_

Amount Paid: \$ \_\_\_\_\_

Type of Card: ☐ VISA ☐ MASTERCARD ☐ DISCOVER ☐ AMERICAN EXPRESS

CREDIT CARD NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Expiration Date: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Signature: \_\_\_\_\_

Title 18 U.S.C. 1001 and 43 U.S.C. 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

**NOTE TO BLM EMPLOYEES: DETACH THIS PAGE BEFORE  
FILING THIS FORM IN APPLICABLE CASE FILES.**





UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
**MAINTENANCE FEE PAYMENT FORM  
FOR PLACER MINING CLAIMS**

Remitter Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

☐ Check here if this is a change of address.

**FOR COUNTY RECORDER'S USE**

No. of claims \_\_\_\_\_

Total due BLM \$ \_\_\_\_\_

1. The maintenance fee may be paid by cash, check, money order, Bureau of Land Management (BLM) Declining Deposit Account, or credit card (VISA, American Express, Discover, or MasterCard). Payments must be remitted to the BLM State Office where your claim or site is recorded and received on or before September 1. If the payment is mailed, the envelope must be postmarked by a bona fide delivery service on or before September 1 and received at the proper BLM State Office within 15 calendar days after the due date. Payments may also be made by telephone using a credit card. A complete listing of BLM State Offices with their addresses and phone numbers can be found at <http://www.blm.gov>.
2. The maintenance fee for the following claim(s) applies to the assessment year \_\_\_\_\_.

CLAIM NAME	BLM SERIAL NO.	ACRES IN CLAIM	PAYMENT DUE TO THE BLM (See Instructions on Page 2)

Use a separate sheet for additional claim names, serial numbers, and claimant names and addresses.

## INSTRUCTIONS

1. This is an optional form that may be used to satisfy the requirements for the Bureau of Land Management (BLM) under the provisions of 43 U.S.C. §1744 and 30 U.S.C. §28f and the regulations thereunder (43 CFR part 3834). Since local and State laws may vary, you should contact your local and State agencies where the claims are located to ensure all applicable laws and requirements are satisfied.
2. This form should be used to pay the maintenance fee for placer mining claims only. To pay the maintenance fee for lode mining claims, mill sites or tunnel sites, use Form 3830-5.
3. Complete the section for the number of claims and the amount being remitted to the BLM.
4. Enter the year in paragraph 2 for the applicable assessment year.
5. List all mining claim names and the BLM serial number associated to the claim if the BLM has notified you what the serial number is. Every attempt should be made to include the current BLM serial number for each claim listed. List the acreage for each claim and the amount due based on the acreage. See the chart below for amounts due.
6. The maintenance fee for placer mining claims is paid for every 20 acres of the claim **or portion thereof**. When making a maintenance fee payment for your placer claim, you should make your payment in accordance with the following chart:

Number of acres in the claim	Maintenance Fee Payment Due Per Claim
< = 20 acres	\$155
> 20 acres but < = 40 acres	\$310
> 40 acres but < = 60 acres	\$465
> 60 acres but < = 80 acres	\$620
> 80 acres but < = 100 acres	\$775
> 100 acres but < = 120 acres	\$930
> 120 acres but < = 140 acres	\$1,085
> 140 acres but < = 160 acres	\$1,240
> 160 acres	Contact the BLM

Legend: > means greater than; < means less than; = means equal to

7. The name and current mailing addresses of the person paying the maintenance fee(s) should be listed at the top of the form. If this is a change of address for a claimant, that should also be noted.
8. If needed, an additional sheet can be used to continue listing claim names, BLM serial numbers, acres in claim, payment due or the name and current mailing address of additional claimants.
9. If paying by credit card, you must complete the following credit card information on page 4: (a) exact name on the face of the credit card; (b) amount paid; (c) type of card; (d) credit card number; (e) expiration date of the card; and (f) telephone number. You must also sign page 4 to show authorization to charge the credit card.

## NOTICES

**THE PRIVACY ACT** and 43 CFR 2.48(d) require that you be furnished with the following information in connection with the information requested by this form.

**AUTHORITY:** 30 U.S.C. 28f and 43 CFR part 3834 permit collection of the information requested by this form.

**PRINCIPAL PURPOSE:** The BLM will use the information you provide to record the annual maintenance fee payment for the claims listed and to verify that payment has been made in accordance with 30 U.S.C. 28f and 43 CFR part 3834.

**ROUTINE USES:** The BLM will only disclose this information in accordance with the provisions at 43 CFR 2.56(b) and (c).

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is required by 30 U.S.C. 28f and 43 CFR part 3834 for claimants paying the annual maintenance fee. The use of this specific form when paying the maintenance fee is optional. However, when paying the maintenance fee, it is the requested information on this form that is required to be submitted along with the fee. Failure to submit all the required information will delay the BLM's processing of the information and may preclude the BLM's acceptance of the maintenance fee payment, which may result in forfeiture of the mining claim(s) by the claimant.

**COMPLETE THE FOLLOWING FOR CREDIT CARD PAYMENTS:**

Exact name as shown on credit card: \_\_\_\_\_

Amount Paid: \$ \_\_\_\_\_

Type of Card: ☐ VISA ☐ MASTERCARD ☐ DISCOVER ☐ AMERICAN EXPRESS

CREDIT CARD NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Expiration Date: \_\_\_\_\_ Telephone No.: \_\_\_\_\_

Signature: \_\_\_\_\_

Title 18 U.S.C. 1001 and 43 U.S.C. 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

**NOTE TO BLM EMPLOYEES: DETACH THIS PAGE BEFORE FILING THIS FORM IN APPLICABLE CASE FILES.**



## 17 Maintenance Fee Waiver Certification

**Due: September 1**

To waive the maintenance fee requirement for mining claim(s)/site(s), each claimant must qualify as a “small miner”. This means they and all related parties have an interest in no more than 10 unpatented mining claim(s)/site(s) nationwide, throughout the entire assessment year.

To apply as a small miner, it is **mandatory** that you use an official Maintenance Fee Waiver Certification (Form 3830-2), commonly referred to as a small miner’s waiver. It is suggested that the most current version of Maintenance Fee Waiver Certification (Form 3830-2) be completed and filed with the BLM by September 1 before each assessment year you are applying for. There is no fee requirement.

The information required to be on a small miner's waiver is:

- The assessment year dates for which you are filing
- The claim name(s) and BLM serial number(s)
- All owner(s) must be listed on the form including their current address(s)
- Original signature of each owner or designated agent for each owner(s) name listed

A claimant may file separate small miner waivers for each claim if necessary.

**Notice:** If you currently hold mining claims under a waiver and you purchase, inherit, or otherwise obtain mining claims or sites that are subject to a waiver:

1. All claimants and related parties must only hold interest in 10 or fewer claims/sites nationwide throughout the entire assessment year to continue to hold any of the claims under a small miner waiver.
2. You must also qualify for the waiver in order for BLM to continue to apply the waiver to the claims/sites you have received in a transfer.
3. If you or related parties on the claim/site do not qualify for the waiver, the annual maintenance fee for the current assessment year must be paid by the September 1 for all claims held by a waiver, following the date the transfer became effective under state law. This would be in addition to the maintenance fee payment that is due by September 1 for the upcoming year.

When filing a small miner's waiver, it is required to file either an Affidavit of Assessment Work (Form 3830-004) or a Notice of Intent to Hold (NOI) along with a \$10 per claim/site processing fee by December 30 of the calendar year in which the assessment year ends.

## 18 Example – Maintenance Fee Waiver

NOT AN OFFICIAL FORM	UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT	THIS IS AN EXAMPLE FORM.  DO NOT USE THIS TO FILE WITH THE BLM.
	<b>MAINTENANCE FEE WAIVER CERTIFICATION</b> SEE INSTRUCTIONS ON PAGE 2	
<p>1. This small miner waiver is filed for the assessment year beginning on <b>September 1, 2014</b> and ending on <b>September 1, 2015</b>.</p> <p>2. The undersigned and all related parties owned ten or fewer mining claims, mill, or tunnel sites located and maintained on Federal lands in the United States of America on <b>September 1, 2014</b>.</p> <p>3. The undersigned have performed the assessment work required by law for each mining claim listed prior to filing this waiver and understand that by filing this form, the undersigned must file an affidavit of assessment work with the BLM by December 30<sup>th</sup> following the filing of this waiver.</p> <p>4. The undersigned understand that if the assessment work obligation has not yet come due under 30 U.S.C. 28 (for those claims in their first assessment year only), a notice of intent to hold reciting this condition must be recorded by the December 30<sup>th</sup> following the filing of this waiver.</p> <p>5. The undersigned understand that mill and tunnel sites may also be listed on this waiver and be waived from payment of the maintenance fee, and that a notice of intent to hold for these sites is required to be filed with the BLM by the December 30<sup>th</sup> following the filing of this waiver.</p> <p>6. The undersigned understand and acknowledge that pursuant to 43 U.S.C. 1212 and 18 U.S.C. 1001, the filing or recording of a false, fictitious, or fraudulent documents with the BLM may result in a fine of up to \$250,000, a prison term not exceed five years, or both.</p> <p>7. The mining claims, mill or tunnel sites for which this waiver from payment of the maintenance fees is requested are:</p>		
<b>CLAIM OR SITE NAME</b>		<b>BLM RECORDATION SERIAL NUMBER</b>
1. <b>RETIREMENT FUND</b>		<b>CMC 123456</b>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
The owner(s) (claimants) of the above mining claims and sites are:		
<b>Claimants Name</b> (Owner's Name – Please Print)		<b>Claimants or Agents Original Signature</b> (Owner's Signature)
<b>Claimants Address</b> (Owner's Mailing Address)		<b>Claimants Address Continued</b> (City) (State) (Zip Code)
(Owner's Name – Please Print)		(Owner's Signature)
(Owner's Mailing Address)		(City) (State) (Zip Code)
<b>THIS IS NOT AN OFFICAL FORM – DO NOT USE TO FILE WITH THE BLM</b>		



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**MAINTENANCE FEE WAIVER CERTIFICATION**

FORM APPROVED  
OMB NO. 1004-0114  
Expires: October 31, 2016

*SEE INSTRUCTIONS ON PAGE 2*

1. This small miner waiver is filed for the assessment year beginning on September 1, \_\_\_\_\_ and ending on September 1, \_\_\_\_\_.
2. The undersigned and all related parties owned ten or fewer mining claims, mill, or tunnel sites located and maintained on Federal lands in the United States of America on September 1, \_\_\_\_\_.
3. The undersigned have performed the assessment work required by law for each mining claim listed prior to filing this waiver and understand that by filing this form, the undersigned must file an affidavit of assessment work with the Bureau of Land Management (BLM) by the December 30th following the filing of this waiver.
4. The undersigned understand that if the assessment work obligation has not yet come due under 30 U.S.C. 28 (for those claims in their first assessment year only), a notice of intent to hold reciting this condition must be recorded by the December 30th following the filing of this waiver.
5. The undersigned understand that mill and tunnel sites may also be listed on this waiver and be waived from payment of the maintenance fee, and that a notice of intent to hold for these sites is required to be filed with the BLM by the December 30th following the filing of this waiver.
6. The undersigned understand and acknowledge that pursuant to 43 U.S.C. 1212 and 18 U.S.C. 1001, the filing or recording of a false, fictitious, or fraudulent document with the BLM may result in a fine of up to \$250,000, a prison term not to exceed five years, or both.
7. The mining claims, mill or tunnel sites for which this waiver from payment of the maintenance fees is requested are:

CLAIM OR SITE NAME	BLM RECORDATION SERIAL NUMBER
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

The owner(s) (claimants) of the above mining claims and sites are:

_____ (Owner's Name - Please Print)	_____ (Owner's Signature)		
_____ (Owner's Mailing Address)	_____ (City)	_____ (State)	_____ (Zip Code)
-----			
_____ (Owner's Name - Please Print)	_____ (Owner's Signature)		
_____ (Owner's Mailing Address)	_____ (City)	_____ (State)	_____ (Zip Code)
-----			
_____ (Owner's Name - Please Print)	_____ (Owner's Signature)		
_____ (Owner's Mailing Address)	_____ (City)	_____ (State)	_____ (Zip Code)
-----			
_____ (Owner's Name - Please Print)	_____ (Owner's Signature)		
_____ (Owner's Mailing Address)	_____ (City)	_____ (State)	_____ (Zip Code)

(Continued on page 2)

(Owner's Name - Please Print)	(Owner's Signature)		
(Owner's Mailing Address)	(City)	(State)	(Zip Code)
(Owner's Name - Please Print)	(Owner's Signature)		
(Owner's Mailing Address)	(City)	(State)	(Zip Code)
(Owner's Name - Please Print)	(Owner's Signature)		
(Owner's Mailing Address)	(City)	(State)	(Zip Code)
(Owner's Name - Please Print)	(Owner's Signature)		
(Owner's Mailing Address)	(City)	(State)	(Zip Code)

---

18 U.S.C. 1001 and 43 U.S.C. 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

---

**INSTRUCTIONS**

1. This certification is made under the provisions of 43 U.S.C. § 1744 and 30 U.S.C. §28-28k and the regulations thereunder (43 CFR Part 3830).
2. The claimant(s) must fill in the dates in paragraph 1 for the beginning and ending of the assessment year for which this waiver is sought.
3. The claimant(s) must fill in the date in paragraph 2 for the beginning of the assessment year for which this waiver is sought.
4. All claim and site names and BLM serial numbers must be listed for the mining claims, mill sites, and tunnel sites for which the waiver is sought.
5. All owners of the mining claims, mill sites, and tunnel sites and their addresses must be given.
6. This waiver form must be signed by all the claimants or their designated agent, in original form. If an agent is designated, a notarized designation of agent, signed by all of the claimants with proper address given, must be submitted with this waiver.
7. This form must be filed no later than September 1st for the upcoming assessment year in the BLM State Office where the mining claims or sites are recorded, or the waiver cannot be granted by the BLM. (Example: To obtain a waiver for the assessment year 2012, which begins on September 1, 2011, you must qualify for and file for a waiver no later than September 1, 2011, in the proper BLM State Office.)
8. For all mining claims which require assessment work, you must record an affidavit of labor on or before the December 30th immediately following the filing of this waiver. For all other mining claims or sites waived, you must record a notice of intent to hold on or before the December 30th immediately following the filing of this waiver.
9. Mill and tunnel sites may also be listed on this waiver and be waived from payment of the maintenance fee. A notice of intent to hold for these sites is required to be filed by the December 30th following the filing of this waiver.

<b>FOR OFFICIAL USE ONLY</b>
------------------------------

## NOTICES

**The Privacy Act** and 43 CFR 2.48(d) require that you be furnished the following information in connection with the information requested by this form.

**AUTHORITY:** 30 U.S.C. 28f and 43 CFR part 3835 permit collection of the information requested by this form.

**PRINCIPAL PURPOSE:** The BLM will use the information you provide to verify that the owner(s) (claimants(s)) of a mining claim has/have complied with 30 U.S.C. 28f and 43 CFR part 3835 and is/are entitled to perform assessment work in lieu of paying the maintenance fee for the mining claims listed on this form.

**ROUTINE USES:** The BLM will only disclose this information in accordance with the provisions at 43 CFR 2.56(b) and (c).

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is required by 30 U.S.C. 28f and 43 CFR part 3835 for those claimants qualified to request the small miner waiver allowed. Failure to submit all the requested information or to complete this form will delay the BLM's processing of the form and may preclude the BLM's acceptance of the maintenance fee waiver request, which may result in forfeiture of the mining claim or site by the claimant.

**The Paperwork Reduction Act** requires us to inform you that:

The BLM collects this information to determine whether or not you are qualified for waiver of maintenance fees.

Submission of the requested information is necessary to obtain or retain a benefit.

You do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

**BURDEN HOURS STATEMENT:** Public reporting burden for this form is estimated to average 20 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may submit comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0114), Bureau Information Collection Clearance Officer (WO-630), Mail Stop 401 LS, 1849 C St., N.W., Washington, D.C. 20240.

From 3830-2 pg 4

## 19 Annual Assessment Work

**Due: December 30**

If a small miner's waiver is filed, the claimant must perform a minimum amount of labor or make improvements worth \$100 each year, and file an Affidavit of Assessment Work (Form 3830-004), along with a \$10 per claim processing fee in the BLM State Office by December 30 of the calendar year in which the assessment year ends.

There is a new BLM form that may be used titled Affidavit of Annual Assessment Work (Form 3830-004), or claimants may create an affidavit so long as it has the following required information on the document:

- The statement "the undersigned have performed \$100 worth of assessment work as required by law (30 U.S.C. 28) for each mining claim listed".
- Claimant name and current address
- Claim name(s) and BLM serial number(s)
- Date range in which the work was performed

Since 1992, and according to State of Colorado law (C.R.S. 34-43-114), the claimant may pay the annual maintenance fee per claim or site in lieu of performing the annual assessment work.

Assessment work is work or labor performed in good faith that tends to develop the claim and directly helps in the extraction of minerals. Geological, geophysical, and geochemical surveys may qualify as assessment work for a limited period. However, a requirement for use of these surveys is the filing of a detailed report, including basic findings.

Performance of assessment work must be within a certain period referred to as the assessment year. The assessment year begins on September 1 and ends on September 1 of the next year.

Assessment work is not a requirement for owners of mill or tunnel sites. However, they must file a Notice of Intention to Hold (NOI) along with the processing fee of \$10 per mining site by December 30 with the BLM.

Performance of assessment work need not occur during the first assessment year of location as the initial maintenance fee is paid when the mining claim/site was located. However, for claims located between September 1 and December 31, and if the claimant is filing a waiver for the upcoming assessment year, the claimant must file a Notice of Intention to Hold (NOI) the claim with the BLM by December 30 of the following calendar year.

**IMPORTANT REMINDER:** For those claimants who filed a waiver last year, you must still file an Affidavit of Assessment Work on or before December 30th, regardless of whether you pay the \$140 maintenance fee for the upcoming assessment year.

## 20 Example – Affidavit of Assessment Work

<b>THIS IS NOT AN OFFICIAL FORM</b>	UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT  <b>AFFIDAVIT OF ANNUAL ASSESSMENT WORK</b>	<b>THIS IS AN EXAMPLE FORM.</b>  <b>DO NOT USE THIS TO FILE WITH THE BLM.</b>		
<b>WHEN RECORDED, MAIL DOCUMENT TO:</b> <b>NAME:</b> CLAIMANT NAME <b>ADDRESS:</b> CLAIMANT ADDRESS <b>CITY, STATE, ZIP:</b> CLAIMANT ADDRESS CONTINUED		FOR COUNTY RECORDER'S USE  <b>No. of Claims:</b> <span style="background-color: yellow;">          </span> <b>x \$10/claim:</b> <span style="background-color: yellow;">          </span> <b>Total due BLM \$:</b> <span style="background-color: yellow;">          </span>		
TO ALL WHOM IT MAY CONCERN:  The undersigned certifies that at least \$100 per claim was expended for development, labor and improvements, or equivalent value added, as the annual assessment work for the assessment year ending <span style="background-color: yellow;">September 1, 2014</span> for the following contiguous unpatented mining claim(s), located in the County of _____, in the State of Colorado.				
BLM Serial No.	Name of Claim	Tp Rg Sec Mer Example: 4N 72W 6 <sup>th</sup> PM	County Recordation Book and Page No.	Date
CMC 123456	RETIREMENT FUND		Initial Claim Location Date and County Recording Number	
Type of labor and improvements (specify what was done and give the total value for that labor and improvement to show at least \$100 for each claim). If a geological, geochemical, or geophysical survey was performed, as per 30 U.S.C. 28-1, reference the title of the report of survey, give cost and date of the survey and report, and indicate it was filed with the County Recorder:				
Description of Work Performed		Value of Work Performed	Date Work Was Performed	
		\$100 worth of work is required on each claim	Work must be performed within the assessment year that you file this form.	
Name and mailing address of each person who performed the labor and improvements:				
Name (please print)		Current Mailing Address (please print)		
Name and mailing address of each person who holds and claims the subject mining claim(s) for the valuable minerals contained therein. Be sure to indicate if there is a change of address:				
Name (please print)		Current Mailing Address (please print)		
The undersigned testifies that on the date of <span style="background-color: yellow;">(Location Date or Later Date)</span> , 20__, all monuments required by law were erected upon the subject claim(s), and all notices required by law were posted on the subject claim(s) or copies thereof were in place, and at said date, each corner monument bore or contained.....				
<b>THIS IS NOT AN OFFICIAL FORM – DO NOT USE TO FILE WITH THE BLM</b>				



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

FORM APPROVED  
OMB NO.: 1004-0114  
Expires: October 31, 2016

**AFFIDAVIT OF ANNUAL ASSESSMENT WORK**

**WHEN RECORDED, MAIL DOCUMENT TO:**

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_

**FOR COUNTY RECORDER'S USE**

No. of Claims \_\_\_\_\_

x \$10/claim

Total due BLM \$ \_\_\_\_\_

**TO ALL WHOM IT MAY CONCERN:**

1. The undersigned certifies that at least \$100 per claim was expended for development, labor and improvements, or equivalent value added, as the annual assessment work for the assessment year ending September 1, \_\_\_\_\_ for the following contiguous unpatented mining claim(s), located in the County of \_\_\_\_\_, in the State of \_\_\_\_\_.

BLM Serial No.	Name of Claim	Tp	Rg	Sec	Mer	County Recordation Book and Page No.	Date

2. Type of labor and improvements (specify what was done and give the total value for that labor and improvement to show at least \$100 for each claim). If a geological, geochemical, or geophysical survey was performed, as per 30 U.S.C. 28-1, reference the title of the report of survey, give cost and date of the survey and report, and indicate it was filed with the County Recorder:

Description of Work Performed	Value of Work Performed	Date Work Was Performed

3. Name and mailing address of each person who performed the labor and improvements:

**Name (please print)**

**Current Mailing Address (please print)**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. Name and mailing address of each person who holds and claims the subject mining claim(s) for the valuable minerals contained therein. Be sure to indicate if there is a change of address:

**Name (please print)**

**Current Mailing Address (please print)**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. The undersigned testifies that on the date of \_\_\_\_\_, 20\_\_\_\_, all monuments required by law were erected upon the subject claim(s), and all notices required by law were posted on the subject claim(s) or copies thereof were in place, and at said date, each corner monument bore or contained

markings sufficient to appropriately designate the corner of the claim to which it pertains and the name of the claim(s).

I hereby certify under penalty of perjury under the laws of the State of \_\_\_\_\_ that the foregoing statements are true and correct:

\_\_\_\_\_  
(Signature of person responsible for above statement)      Date: \_\_\_\_\_

Title 18 U.S.C. 1001 and 43 U.S.C. 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

### ***Notary Block***

**SUBSCRIBED AND SWORN TO** before me, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

By: \_\_\_\_\_  
(Signature of Affiant)

Title: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

### **INSTRUCTIONS**

1. This is an optional form that may be used to satisfy the requirements for the Bureau of Land Management (BLM) under the provisions of 43 U.S.C. §1744 and 30 U.S.C. §28-28d and the regulations thereunder (43 CFR part 3835). Since local and State laws may vary, you should contact your local and State agencies where the claims are located to ensure all applicable laws and requirements are satisfied.
2. The claimant(s) must fill in the date in paragraph 1 for the applicable assessment year and the county and state where the claims are located.
3. All claim names, BLM serial numbers, legal descriptions, and original county recording information must be listed for the claims pertaining to this assessment notice.
4. The claimant(s) must complete paragraph 2 listing all labor or improvements which was performed on or did benefit the subject mining claims. The value and date of the labor or improvements must also be listed. The total amount of labor or improvements can be listed, but the total expenditure must equal at least \$100 for each claim.
5. The names and current mailing addresses of the person(s) performing the labor shall be listed in paragraph 3.
6. The name and current mailing address of each owner (claimant) of the claims shall be listed in paragraph 4. The mailing address shall be the owner's address and not the address of an agent or anyone representing the claimant. Be sure to note if there has been a change of address.
7. Paragraph 5 shall be completed to show the date it was verified that all monuments required by law were properly erected, all notices were posted, and that corners were appropriately designated for all claims listed.
8. An exact legible reproduction or duplicate (other than microfilm or other electronic media) of this affidavit or another type of affidavit of assessment work that you file or will file in the county where each claim is located, must be filed with the BLM on or before December 30 of the calendar year in which the assessment year ends. For mill or tunnel sites, a separate notice of intent to hold must be filed with the BLM on or before December 30. Requirements for filing a notice of intent to hold can be found at 43 CFR 3835.33.
9. A processing fee of \$10 for each claim listed must be remitted to the BLM along with this or any other affidavit of assessment work.

## NOTICES

**THE PRIVACY ACT** and 43 CFR 2.48(d) require that you be furnished with the following information in connection with the information requested by this form.

**AUTHORITY:** 30 U.S.C. §28-28d and 43 CFR part 3835 permit collection of the information requested by this form.

**PRINCIPAL PURPOSE:** The BLM will use the information you provide to document compliance with 43 U.S.C. 1744 and that assessment work has been completed in accordance with 30 U.S.C. § 28-28d and 43 CFR part 3835 in lieu of paying the maintenance fee for the mining claims listed on this form.

**ROUTINE USES:** The BLM will only disclose this information in accordance with the provisions at 43 CFR 2.56(b) and (c).

**EFFECT OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is required by 30 U.S.C. § 28-28d and 43 CFR part 3835 for claimants qualified to perform assessment work in lieu of paying the maintenance fee. Failure to submit all the requested information or to complete this form will delay the BLM's processing of the form and may preclude the BLM's acceptance of the assessment work information, which may result in forfeiture of the mining claim(s) by the claimant.

**THE PAPERWORK REDUCTION ACT** requires us to inform you that:

Use of this form is optional. You must perform assessment if a waiver to pay the maintenance fee has been requested. This form is provided to help you attest that annual assessment work has been completed in lieu of paying the maintenance fee for your claim(s). Submission of the requested information is necessary to obtain or retain a benefit.

You do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a valid OMB control number.

**BURDEN HOURS STATEMENT:** The estimated public reporting burden for this form is 30 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may submit comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-0114), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Room 2134LM, Washington, D.C. 20240.

## 21 Notice of Intent to Hold

**Due: December 30**

A Notice of Intention to Hold Mining Claim(s)/Site(s) (NOI) may be filed in the following circumstances:

- It is the first year you have located your claim, and a small miner waiver has been filed for the upcoming year
  - (assessment work is not required the first year of location)
- A small miner waiver has been filed on a tunnel or mill site claim
  - (assessment work is not required on mining sites)
- The maintenance fee has been paid for the current year, and a small miner waiver is being filed for the upcoming assessment year
  - (switching from paying maintenance fee to filing as a small miner waiver)
- The BLM has issued a decision granting a deferment of assessment work

There is not a BLM form available to use to file a Notice of Intention to Hold (NOI) the mining claim(s)/site(s). Claimants may use the [forms available from other states](#) or create a form that meets the state and federal requirements. The NOI form must state:

- BLM serial number(s) and claim name(s)
- Change in mailing address of the claimant(s)
- Statement as to why assessment work is not required
- Signature of claimant(s) or their designated agent(s)

**The NOI is due by December 30<sup>th</sup> of the calendar year according to the reason an NOI is being filed, as described below:**

When switching from paying Maintenance Fees to filing a Maintenance Fee Waiver:

1. A maintenance fee was paid the previous year,(this includes the required first year/initial maintenance fee due to locate a mining claim/site), and
2. a Maintenance Fee Waiver is filed for the upcoming year,
3. an NOI along with a \$10 per claim/site processing fee is due by December 30 of the calendar year in which the Maintenance Fee Waiver is filed.

When Assessment Work is not required:

1. A Maintenance Fee Waiver was filed in the previous year, and
2. there is no assessment work requirement due (because it is a mining site or the deferment of assessment work has been granted),
3. an NOI along with a \$10 per claim/site processing fee is due by December 30 of the calendar year (the same year) that the assessment work requirement is due.

## 22 Example – Notice of Intent to Hold (NOI)

<b>THIS IS NOT AN OFFICAL FORM</b>	<b>NOTICE OF INTENT TO HOLD (NOI) MINING CLAIM(S)/SITE(S)</b>	<b>THIS IS AN EXAMPLE FORM. DO NOT USE THIS TO FILE WITH THE BLM.</b>
------------------------------------	---	---

TO ALL WHOM IT MAY CONCERN:

I (We) intend to hold the claim(s) and/or site(s) listed below for the assessment year **2014**, and has filed or will file a NOI in the country in which the claim is located.

The reason for filing a NOI instead of an Affidavit of Assessment Work/Labor (POL)(check one):

- ☐ Mill Site or Tunnel Site
- ☐ Mining Claim(s)/Site(s) were located during the current assessment year
- ☐ Assessment work obligation has not yet come due

The Certificate(s) of Location and map(s) for said claim(s)/site(s) is filed in the  County records.

Name of Claim(s) or Site(s):	BLM Serial No(s):
RETIREMENT FUND	CMC 555555

A total number of  claim(s) is being field with this document.

**Name(s) and mailing address(es) of owner(s)/claimant(s):**


Dated this day  of , 20.

Signed By:

***Owner, Claimant, Agent, Signature***

**THIS IS NOT AN OFFICAL FORM – DO NOT USE TO FILE WITH THE BLM**



### **Mining Claims & Sites, Key Terms Defined**

***Aliquot part*** means a legal subdivision of a section of a township and range, except fractional lots, by division into halves or quarters.

***Amendment*** means the act of making a change in a previously recorded mining claim or site as described in § 3833.21 of this chapter.

***Annual FLPMA documents*** means either a notice of intent to hold, or an affidavit of assessment work, as prescribed in section 314(a) of FLPMA (43 U.S.C. 1744(a)). The term “proof of labor” (commonly used to describe this document) means the same as “affidavit of assessment work” as used in this part. See parts 3835 and 3836 of this chapter for further information.

***Assessment year*** means a period of 12 consecutive months beginning on September 1 each year. See part 3836 of this chapter for further information.

***Bench placer claim*** means a placer mining claim located on terraces or former floodplains made of gravel or sediment or both on the valley wall or slope above the current riverbed, and created when the river previously was at a higher topographic level than now.

***BLM State Office*** means the Bureau of Land Management State Office listed in § 1821.10 of this chapter having jurisdiction over the land in which the mining claims or sites are situated.

***Claimant*** means the person under state or Federal law who is the owner of all or any part of an unpatented mining claim or site.

***Closed to mineral entry*** means the land is not available for the location of mining claims or sites because Congress, BLM, or another surface managing agency has withdrawn or otherwise segregated the lands from the operation of the General Mining Law, often subject to valid existing rights.

**Control** means actual control, legal control, or the power to exercise control, through or by common directors, officers, stockholders, a voting trust, or a holding company or investment company, or any other means. BLM may determine, based on evidence that we find adequate, that a stockholder who is not an officer or director, or who is not a majority shareholder, of a company or corporation exercises control as defined in these regulations.

**Discovery** means that a mining claimant has found a valuable mineral deposit.

**Federal lands** means any lands or interest in lands owned by the United States, subject to location under the General Mining Law, including, but not limited to, those lands within forest reservations in the National Forest System and wildlife refuges in the National Wildlife Refuge System.

**Filed** means a document is—

(a) Received by BLM on or before the due date; or

(b)(1) Postmarked or otherwise clearly identified as sent on or before the due date by a *bona fide* mail delivery service, and

(2) Received by the appropriate BLM state office either:

(i) Within 15 calendar days after the due date; or

(ii) On the next business day after the 15th day, if the 15th day is not a business day (see subpart 1822 of this chapter).

**FLPMA** means the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 *et seq.* ).

**Forfeit or forfeiture** means the voidance or invalidation of an unpatented mining claim or site. The terms “abandoned and void”, “null and void,” “void ab initio” and “forfeited” have the same effect in these regulations.

**General Mining Law** means the Act of May 10, 1872, as amended, (codified as 30 U.S.C. 22-54).

**Gulch placer claim** means a placer claim located on the bed of a river contained within steep, nonmineral canyon walls. The form of the river valley and nonmineral character of the valley walls preclude the location of the claim by aliquot parts and a metes and bounds description is necessary.

**Local recording office** means the county or state government office established under state law where you are usually required to record all legal documents including, but not limited to, deeds and wills.

**Location fee** means the one-time fee that 30 U.S.C. 28g requires you to pay for all new mining claims and sites at the time you record them with BLM. See § 3830.21 for the table of fees.

**Maintenance fee** means the initial or annual fee that 30 U.S.C. 28f requires you to pay to hold and maintain mining claims or sites. See § 3830.21 for the table of fees.

**Metes and bounds** means a method of describing a parcel of land that does not conform to the rectangular U.S. Public Land Survey System, using compass bearings and distances from a known point to a specified point on the parcel and then by using a continuous and sequential set of compass bearings and distances beginning at the point of beginning, continuing along and between the corners or boundary markers of the parcel's outer perimeter, until returning to the point of beginning.



**Mineral-in-character** means land that is known, or can reasonably be inferred from the available geologic evidence, to contain:

- (a) Valuable minerals subject to location under the general mining law for purpose of locating mining claims or sites;
- (b) Mineral materials for purposes of disposal under part 3600 of this chapter.

**Mineral Leasing Acts** means the Mineral Leasing Act of [February 25,] 1920, as amended (30 U.S.C. 181 *et seq.* ); the Geothermal Steam Act of 1970, as amended (30 U.S.C. 1001 *et seq.* ); the Mineral Leasing Act for Acquired Lands of 1947, as amended, (30 U.S.C. 351 *et seq.* ); and including all Acts referenced in 30 U.S.C. 505. The definition pertains to all minerals that BLM administers under Groups 3100, 3200, 3400, and 3500 of this chapter.

**Mineral materials** means those materials that—

- (a) BLM may sell under the Mineral Materials Act of July 31, 1947 (30 U.S.C. 601-604), as amended by the Surface Resources Act of 1955 (30 U.S.C. 601, 603, and 611-615); and
- (b) BLM administers under part 3600 of this chapter.

**Multiple Mineral Development Act** means the Act of August 13, 1954, as amended (30 U.S.C. 521-531).

**Nonmineral land** means land that is not mineral-in-character.

**Open to mineral entry** means that the land is open to the location of mining claims or sites under the General Mining Law.

**Patent** means a document conveying title to Federal surface and/or minerals.

**Processing Fee** means an administrative fee that BLM assesses under this part to cover the cost of processing documents.

**Recording** means the act of filing a notice or certificate of location with the local recording office and BLM, as required by FLPMA.

**Related party** means:

- (a) The spouse and dependent children of the claimant as defined in section 152 of the Internal Revenue Code of 1986; or
- (b) A person who controls, is controlled by, or is under common control with the claimant.

**Segregate or segregation** means the Department of the Interior has closed the affected lands to mineral entry or withdrawn the affected lands from mining claim location, land transactions, or other uses as specified in a statute, regulation, or public land order affecting the land in question. The land remains segregated until the statutory period has expired, BLM ends the segregation under § 2091.2-2 of this chapter, or the Department of the Interior removes the notation of segregation from its records, whichever occurs first.

**Site** means either an unpatented mill site authorized under 30 U.S.C. 42 or a tunnel site authorized under 30 U.S.C. 27.

**Small miner** means a claimant who, along with all related parties, holds no more than 10 mining claims or sites on Federal lands on the date annual maintenance fees are due, and meets the additional requirements of part 3835 of this chapter.

**Split estate lands** means that lands where United States owns the mineral estate as part of the public domain, but not the surface.

**Surface Resources Act** means the Act of July 23, 1955 (30 U.S.C. 601, 603, and 611-615).

**Unpatented mining claim** means a lode mining claim or a placer mining claim located and maintained under the General Mining Law for which BLM has not issued a mineral patent under 30 U.S.C. 29.

---

## **Specific Federal Regulations by Topic for Mining Claims/Sites.**

### **3730**

#### **PUBLIC LAW 359; MINING IN POWERSITE WITHDRAWALS: GENERAL**

- § 3730.0-1 Purpose; lands open.
- § 3731.1 Power rights retained in the United States.
- § 3734.1 Owner of claim to file notice of location and assessment work.
- § 3736.1 Placer locator to conduct no mining operations for 60 days.
- § 3736.2 Hearing; notice of protest.
- § 3737.1 Mining claim and millsite use.
- § 3738.1 Bond or deposit required.
- § 3738.2 Restoration of surface condition.

### **3810**

#### **LANDS AND MINERALS SUBJECT TO LOCATION**

- § 3811.1 Lands: General.

### **3830**

#### **LOCATING, RECORDING, AND MAINTAINING MINING CLAIMS OR SITES; GENERAL PROVISIONS**

- § 3830.2 What is the scope of these regulations?

#### **Who Can Locate?**

- § 3830.3 Who may locate mining claims?

#### **What are Locatable Minerals?**

- § 3830.11 Which minerals are locatable under the General Mining Law?
- § 3830.12 What are the characteristics of a locatable mineral?

#### **What are the Fees?**

- § 3830.21 What are the different types of service charges and fees?
- § 3830.25 When do I pay for recording a new notice or certificate of location for a mining claim or site?

§ 3830.95 What if I pay only part of the service charges, location fees, or first year maintenance fees for newly-recorded claims or sites?

§ 3830.24 How do I make payments?

§ 3830.23 What types of payment will BLM accept?

#### **What if I fail to comply with these regulations?**

§ 3830.91 What happens if I fail to comply with these regulations?

§ 3830.93 When are defects curable?

§ 3830.94 How may I cure a defect in my compliance with these regulations?

§ 3830.22 Will BLM refund service charges or fees?

§ 3830.100 How do I appeal a final decision by BLM?

### **3832**

#### **LOCATING MINING CLAIMS OR SITES**

§ 3832.1 What does it mean to locate mining claims or sites?

§ 3832.11 How do I locate mining claims or sites?

#### **Locating a lode or placer mining claim.**

§ 3832.21 How do I locate a lode or placer mining claim?

§ 3832.22 How much land may I include in my mining claim?

#### **Locate a mill site.**

§ 3832.31 What is a mill site?

§ 3832.32 How much land may I include in my mill site?

§ 3832.33 How do I locate a mill site?

§ 3832.34 How may I use my mill site?

#### **Locate a tunnel site.**

§ 3832.41 What is a tunnel site?

§ 3832.42 How do I locate a tunnel site?

§ 3832.43 How may I use a tunnel site?

§ 3832.44 What rights do I have to minerals within my tunnel site?

§ 3832.45 How do I obtain any minerals that I discover within my tunnel site?

### **3833**

#### **RECORDING MINING CLAIMS AND SITES**

§ 3833.1 Why must I record mining claims and sites?

§ 3833.11 How do I record mining claims and sites?

§ 3830.8 How will BLM use the information it collects and what does it estimate the burden is on the public?

§ 3830.9 What will happen if I file a document with BLM that I know contains false, erroneous, or fictitious information or statements?

#### **Filing an amendment to the mining claim/site.**

§ 3833.21 When may I amend a notice or certificate of location?

§ 3833.22 How do I amend my location?

**Transferring interest/ownership in a mining claim or site.**

- § 3833.31 What is a transfer of interest?
- § 3833.32 How do I transfer a mining claim or site?
- § 3833.33 How may I transfer, sell, or otherwise convey an association placer mining claim?
- § 3833.92 What happens if I do not file a transfer of interest?
- § 3835.20 Transferring, selling, inheriting, or otherwise conveying mining claims or sites already subject to a waiver.

**3834**

**REQUIRED FEES FOR MINING CLAIMS OR SITES**

- § 3834.11 Which fees must I pay to maintain a mining claim or site and when do I pay them?
- § 3834.12 How will BLM know for which mining claims or sites I am paying the fees?
- § 3834.21 How will BLM adjust the location and maintenance fees?
- § 3834.22 How will I know that BLM has adjusted location and maintenance fees?
- § 3834.23 When do I start paying the adjusted fees?
- § 3834.14 May I obtain a waiver from these fees?

**3835**

**WAIVERS FROM ANNUAL MAINTENANCE FEES**

- § 3835.1 How do I qualify for a waiver?
- § 3835.10 How do I request a waiver?
- § 3835.11 What special filing and reporting requirements pertain to the different types of waivers?
- § 3835.12 What are my obligations once I receive a waiver?
- § 3835.13 How long do the waivers last and how do I renew them?
- § 3835.14 How do I submit a small miner waiver request for newly-recorded mining claims?
- § 3835.15 If I qualify as a small miner, how do I apply for a waiver if I paid the maintenance fee in the last assessment year?
- § 3835.16 If I am a qualified small miner, and I obtained a waiver in one assessment year, what must I do if I want to pay the maintenance fee for the following assessment year?

**How to file annual FLPMA documents (Affidavit of Assessment & Notice of Intent to Hold)**

- § 3835.31 When do I file an annual FLPMA document?
- § 3835.32 What should I include when I submit an affidavit of assessment work?
- § 3835.33 What should I include when I submit a notice of intent to hold?

**What is considered a defective annual filing.**

- § 3835.91 What if I fail to file annual FLPMA documents?
- § 3835.92 What if I fail to submit a timely waiver request?
- § 3835.93 What happens if BLM finds a defect in my waiver request?

**3836**

**ANNUAL ASSESSMENT WORK REQUIREMENTS FOR MINING CLAIMS**

- § 3836.11 What are the general requirements for performing assessment work?
- § 3836.12 What work qualifies as assessment work?
- § 3836.13 What are geological, geochemical, or geophysical surveys?
- § 3836.14 What other requirements must geological, geochemical, or geophysical surveys meet to qualify as assessment work?

### **3837**

#### **ACQUIRING A DELINQUENT CO-CLAIMANT'S INTERESTS IN A MINING CLAIM OR SITE**

- § 3837.11 When may I acquire a delinquent co-claimant's interests in a mining claim or site?
- § 3837.21 How do I notify the delinquent co-claimant that I want to acquire his or her interests?
- § 3837.22 How long does a delinquent co-claimant have after notification to contribute a proportionate share of the assessment work, expenditures, or maintenance fees?
- § 3837.23 How do I notify BLM that I have acquired a delinquent co-claimant's interests in a mining claim or site?
- § 3837.24 What kind of evidence must I submit to BLM to show I have properly notified the delinquent co-claimant?
- § 3837.30 Disputes about acquiring a delinquent co-claimant's interests.

### **3838**

#### **SPECIAL PROCEDURES FOR LOCATING AND RECORDING MINING CLAIMS AND TUNNEL SITES ON STOCKRAISING HOMESTEAD ACT (SRHA) LANDS**

- § 3838.1 What are SRHA lands?
- § 3838.2 How are SRHA lands different from other Federal lands?
- § 3838.10 - § 3838.14 Procedures for locating and recording on SRHA lands.

## 24 Classification of Operations in the State of Colorado

*Prior to beginning operations we strongly advise prospectors to contact the BLM Field Office or United States Forest Service Office with jurisdiction for the area where the operation is planned to determine the level of use for your operation.*

### Classification of Operations in the State of Colorado

#### CASUAL USE

Casual use prospecting includes those activities which cause very little or no disturbance. For example: collection of geochemical, rock, soil, or mineral specimens using hand tools; hand panning; or non-motorized sluicing. It also generally includes use of metal detectors, gold spears and other battery-operated devices for sensing the presence of minerals, and hand and battery-operated dry washers. Operators may use motorized vehicles for casual use activities provided the use is consistent with the regulations governing such use (part 43 CFR 8340), including following off-road vehicle use designations and temporary closures ordered by BLM. Casual use operations do not require notification of the BLM; except where specific land use or recreation area plans call for a recreational mining permit. You must reclaim any casual-use disturbance that you create.

#### NOTICE-LEVEL

BLM and the State of Colorado have an agreement addressing notice level prospecting activities on public land in the State of Colorado. A person must file a Notice of Intent to Conduct Prospecting Operations (NOI) with the Colorado Division of Reclamation, Mining and Safety (CDRMS) and file a mining notice with the appropriate BLM Field Office, as defined by the BLM 43 CFR 3809 regulations and State of Colorado, Hard Rock/Metal Mining Rules and Regulations. Notice level prospecting means any prospecting operation that is motorized, mechanized, uses explosives, or is reasonably expected to result in greater land disturbance other than is caused by the ordinary, lawful use of the land by persons not prospecting. The operator will be required to provide a financial guarantee warranty for reclamation costs of the prospecting operations which is filed and held by CDRMS in the form of a cash bond, or a corporate or insurance instrument.

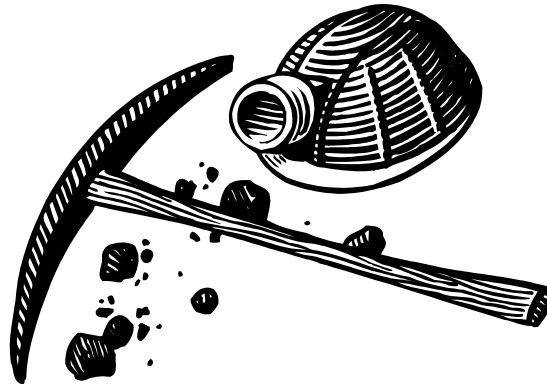
#### PLAN OF OPERATION

An approved Plan of Operations is required for exploration activities disturbing in excess of 5 acres, bulk sampling of 1,000 tons or more, and **all** proposed mining or milling operations (**regardless of the acreage disturbed**). A Plan is required for any operation causing surface disturbance greater than **Casual Use** in special status areas as defined in 43 CFR 3809.11. Financial warranty must be supplied for all plan level operations.

#### Suction Dredging on Public Land in the State of Colorado

If your operations involve the use of a suction dredge (with a nozzle diameter greater than 4”), the state requires authorization for its use. A person must contact the BLM Field Office with jurisdiction over the land where the operation will take place **BEFORE** beginning such use to determine what level of regulations your operation falls under.

The BLM Grand Junction Field Office and the Royal Gorge Field Office have designated rules and localities on suction dredging and recreational placer operations within their Field Office boundaries. A Notice of Intent form for any work in these areas only is provided on each Field Office web-site.



### Mining Operations & Surface Management, Key Terms Defined

**Casual use** means activities ordinarily resulting in no or negligible disturbance of the public lands or resources. For example—

1. Casual use generally includes the collection of geochemical, rock, soil, or mineral specimens using hand tools; hand panning; or non-motorized sluicing. It may include use of small portable suction dredges. It also generally includes use of metal detectors, gold spears and other battery-operated devices for sensing the presence of minerals, and hand and battery-operated drywashers. Operators may use motorized vehicles for casual use activities provided the use is consistent with the regulations governing such use (part 8340 of this title), off-road vehicle use designations contained in BLM land-use plans, and the terms of temporary closures ordered by BLM.
2. Casual use does not include use of mechanized earth-moving equipment, truck-mounted drilling equipment, motorized vehicles in areas when designated as closed to “off-road vehicles” as defined in § 8340.0-5 of this title, chemicals, or explosives. It also does not include “occupancy” as defined in § 3715.0-5 of this title or operations in areas where the cumulative effects of the activities result in more than negligible disturbance.

**Exploration** means creating surface disturbance greater than casual use that includes sampling, drilling, or developing surface or underground workings to evaluate the type, extent, quantity, or quality of mineral values present. Exploration does not include activities where material is extracted for commercial use or sale.

**Minimize** means to reduce the adverse impact of an operation to the lowest practical level. During review of operations, BLM may determine that it is practical to avoid or eliminate particular impacts.

**Mining claim** means any unpatented mining claim, millsite, or tunnel site located under the mining laws.

**Mining “claimant”** is defined in § 3833.0-5 of this title.

**Mining laws** means the Lode Law of July 26, 1866, as amended (14 Stat. 251); the Placer Law of July 9, 1870, as amended (16 Stat. 217); and the Mining Law of May 10, 1872, as amended (17 Stat. 91); as well as all laws supplementing and amending those laws, including the Building Stone Act of August 4, 1892, as amended (27

Stat. 348); the Saline Placer Act of January 31, 1901 (31 Stat. 745); the Surface Resources Act of 1955 (30 U.S.C. 611-614); and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.* ).

**Mitigation**, as defined in 40 CFR 1508.20, may include one or more of the following:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
5. Compensating for the impact by replacing, or providing substitute, resources or environments.

**Operations** means all functions, work, facilities, and activities on public lands in connection with prospecting, exploration, discovery and assessment work, development, extraction, and processing of mineral deposits locatable under the mining laws; reclamation of disturbed areas; and all other reasonably incident uses, whether on a mining claim or not, including the construction of roads, transmission lines, pipelines, and other means of access across public lands for support facilities.

**Operator** means a person conducting or proposing to conduct operations.

**Person** means any individual, firm, corporation, association, partnership, trust, consortium, joint venture, or any other entity conducting operations on public lands.

**Project area** means the area of land upon which the operator conducts operations, including the area required for construction or maintenance of roads, transmission lines, pipelines, or other means of access by the operator.

**Public lands**, as defined in 43 U.S.C. 1702, means any land and interest in land owned by the United States within the several States and administered by the Secretary of the Interior through the BLM, without regard to how the United States acquired ownership, except—

- (1) Lands located on the Outer Continental Shelf; and
- (2) Lands held for the benefit of Indians, Aleuts, and Eskimos.

**Reclamation** means taking measures required by this subpart following disturbance of public lands caused by operations to meet applicable performance standards and achieve conditions required by BLM at the conclusion of operations. For a definition of “reclamation” applicable to operations conducted under the mining laws on Stock Raising Homestead Act lands, see part 3810, subpart 3814 of this title. Components of reclamation include, where applicable:

1. Isolation, control, or removal of acid-forming, toxic, or deleterious substances;
2. Regrading and reshaping to conform with adjacent landforms, facilitate revegetation, control drainage, and minimize erosion;
3. Rehabilitation of fisheries or wildlife habitat;
4. Placement of growth medium and establishment of self-sustaining revegetation;
5. Removal or stabilization of buildings, structures, or other support facilities;
6. Plugging of drill holes and closure of underground workings; and
7. Providing for post-mining monitoring, maintenance, or treatment.

**Riparian area** is a form of wetland transition between permanently saturated wetlands and upland areas. These areas exhibit vegetation or physical characteristics reflective of permanent surface or subsurface water



influence. Typical riparian areas include lands along, adjacent to, or contiguous with perennially and intermittently flowing rivers and streams, glacial potholes, and the shores of lakes and reservoirs with stable water levels. Excluded are areas such as ephemeral streams or washes that do not exhibit the presence of vegetation dependent upon free water in the soil.

***Unnecessary or undue degradation*** means conditions, activities, or practices that:

1. Fail to comply with one or more of the following: the performance standards in § 3809.420, the terms and conditions of an approved plan of operations, operations described in a complete notice, and other Federal and state laws related to environmental protection and protection of cultural resources;
2. Are not “reasonably incident” to prospecting, mining, or processing operations as defined in § 3715. 0-5 of this chapter; or
3. Fail to attain a stated level of protection or reclamation required by specific laws in areas such as the California Desert Conservation Area, Wild and Scenic Rivers, BLM-administered portions of the National Wilderness System, and BLM-administered National Monuments and National Conservation Areas.

---

## **Specific Federal Regulations for Mining Operations & Surface Management on BLM Land**

### **3809 – Surface Management**

#### **What regulations apply to the operation of my mine?**

- § 3809.10 How does BLM classify operations?
- § 3809.31 Are there any special situations that affect what submittals I must make before I conduct operations?
- § 3809.116 As a mining claimant or operator, what are my responsibilities under this subpart for my project area?
- § 3809.5 How does BLM define certain terms used in this subpart?

#### **Do I also have to contact the State?**

- § 3809.200 What kinds of agreements may BLM and a State make under this subpart?
- § 3809.201 What should these agreements address?
- § 3809.203 What are the limitations on BLM deferral to State regulation of operations?

#### **What kind of paperwork is required before I begin mining?**

- § 3809.11 When do I have to submit a plan of operations?
- § 3809.21 When do I have to submit a notice?
- § 3809.202 Under what conditions will BLM defer to State regulation of operations?

#### **Operations under Notice level activity.**

- § 3809.301 Where do I file my notice and what information must I include in it?
- § 3809.312 When may I begin operations after filing a complete notice?
- § 3809.313 Under what circumstances may I not begin operations 15 calendar days after filing my notice?

#### **Operations under Plans of Operation.**

- § 3809.401 Where do I file my plan of operations and what information must I include with it?

§ 3809.415 How do I prevent unnecessary or undue degradation while conducting operations on public lands?

§ 3809.420 What performance standards apply to my notice or plan of operations?

#### **Financial Guarantee Requirements (Bonding the Mining Operation).**

§ 3809.500 In general, what are BLM's financial guarantee requirements?

§ 3809.503 When must I provide a financial guarantee for my notice-level operations?

§ 3809.551 What are my choices for providing BLM with a financial guarantee?

§ 3809.552 What must my individual financial guarantee cover?

§ 3809.553 May I post a financial guarantee for a part of my operations?

§ 3809.555 What forms of individual financial guarantee are acceptable to BLM?

#### **Inspection and Enforcement of the Mining Operation.**

§ 3809.600 With what frequency will BLM inspect my operations?

§ 3809.601 What types of enforcement action may BLM take if I do not meet the requirements of this subpart?

§ 3809.602 Can BLM revoke my plan of operations or nullify my notice?

§ 3809.603 How does BLM serve me with an enforcement action?

§ 3809.604 What happens if I do not comply with a BLM order?

#### **What are Prohibited Acts?**

§ 3809.605 What are prohibited acts under this subpart?

§ 3809.700 What criminal penalties apply to violations of this subpart?

§ 3809.701 What happens if I make false statements to BLM?

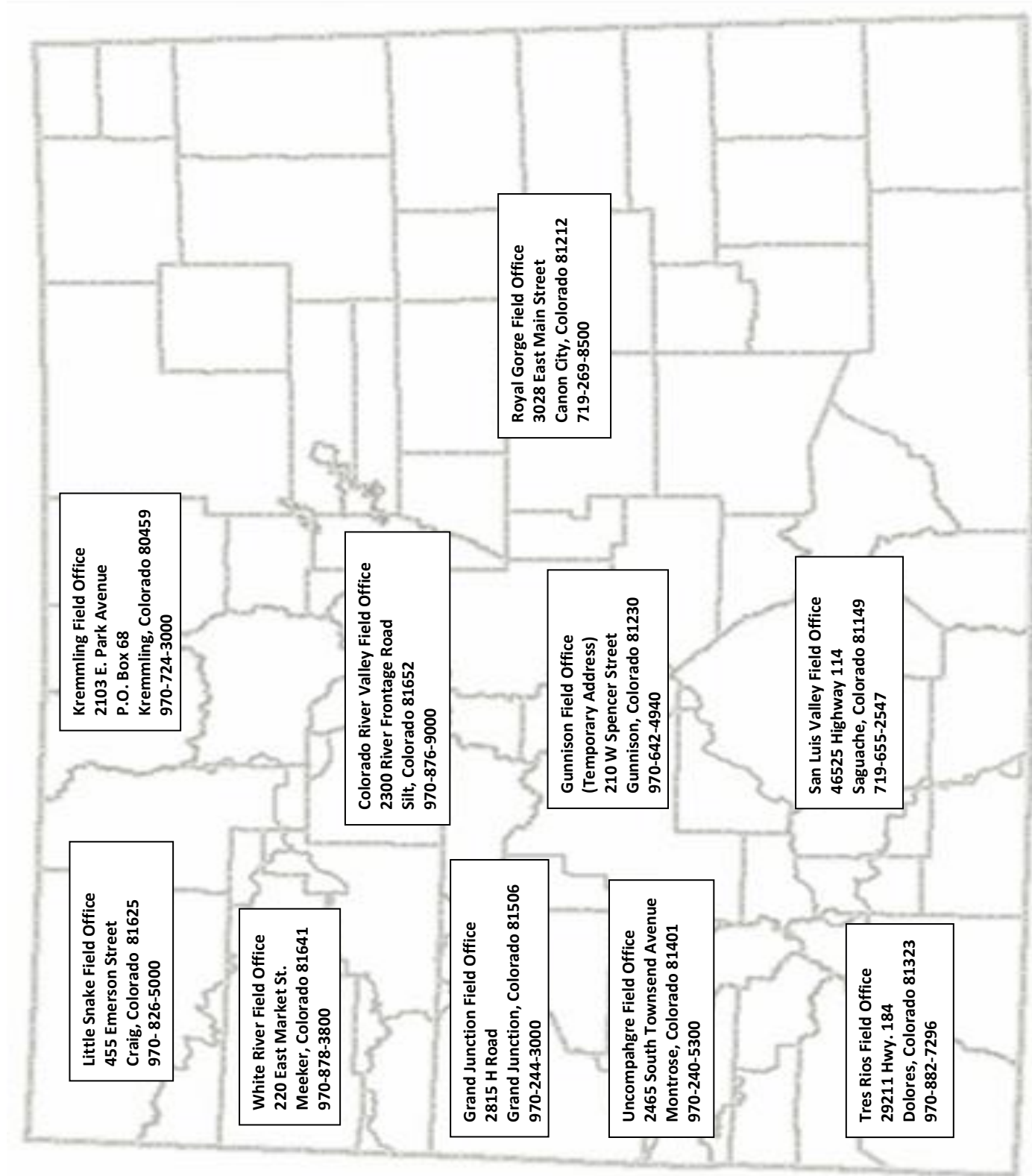
§ 3809.800 Who may appeal BLM decisions under this subpart?

§ 3809.801 - § 3809.809 When may I file an appeal of the BLM decision with OHA?

#### **Public Visits to Mines.**

§ 3809.900 Will BLM allow the public to visit mines on public lands?

## 26 BLM Field Office Contact Information



This Page Intentionally Left Blank

## 27 US Forest Service District Office Contact Information

*This is not a complete list of Forest Service offices in Colorado.*

### **Rocky Mountain Regional Office**

740 Simms St.  
Golden, CO 80401  
303-275-5350

---

### **Arapaho and Roosevelt National Forest**

Boulder Ranger District  
2140 Yarmouth Avenue  
Boulder, CO 80301  
303-541-2500

Canyon Lakes Ranger District  
2150 Centre Avenue, Building E  
Fort Collins, CO 80526  
970-295-6700

Clear Creek Ranger District  
101 Chicago Creek Road  
P.O. Box 3307  
Idaho Springs, CO 80452  
303-567-3000

Pawnee National Grassland  
660 "O" Street  
Greeley, CO 80631  
970-346-5000

Sulphur Ranger District  
9 Ten Mile Drive, PO Box 10  
Granby, CO 80446  
970-887-4100

---

### **Grand Mesa, Uncompahgre and Gunnison National Forests**

Grand Valley Ranger District  
2777 Crossroads Blvd, Suite 1  
Grand Junction, CO 81506  
970-242-8211

Gunnison Ranger District  
216 N. Colorado  
Gunnison, CO 81230  
970-641-0471

Norwood Ranger District  
P.O. Box 388, 1150 Forest  
Norwood, CO 81423  
970-327-4261

Ouray Ranger District  
2505 S. Townsend  
Montrose, CO 81401  
970-240-5300

Paonia Ranger District  
PO Box 1030,  
North Rio Grande Ave  
Paonia, CO 81428  
970-527-4131

---

### **Pike, San Isabel National Forests**

Leadville Ranger District  
810 Front Street  
Leadville, CO 80461  
719-486-0749

Pikes Peak Ranger District  
601 South Weber  
Colorado Springs, CO 80903  
719-636-1602

Salida Ranger District  
325 West Rainbow Blvd.  
Salida, CO 81201  
719-539-3591

San Carlos Ranger District  
3028 East Main Street  
Canon City, CO 81212  
719-269-8500

South Park Ranger District  
320 Hwy 285, PO Box 219  
Fairplay, CO 80440  
719-836-2031

South Platte Ranger District  
19316 Goddard Ranch Court  
Morrison, CO 80465  
303-275-5610

---

**U.S. Forest Service District Office Contact Information, continued.**

***This is not a complete list of Forest Service offices in Colorado.***

**Rio Grande National Forest**

Conejos Peak Ranger District  
15571 County Road T5  
La Jara, CO 81140  
719-274-8971

Divide Ranger District  
13308 West Hwy 160  
Del Norte, CO 81132  
719-657-3321  
Creede Ranger District  
304 South Main St., PO Box 270  
Creede, CO 81130  
719-658-2556

**Routt National Forest**

Hahns Peak/Bears Ears  
Ranger District  
925 Weiss Drive  
Steamboat Springs, Co 80487-  
9315  
970-870-2299

Parks Ranger District  
100 Main Street, PO Box 158  
Walden, CO 80480  
970-723-2700

Yampa Ranger District  
300 Roselawn Ave, PO Box 7  
Yampa, CO 80483  
970-638-4516

**San Juan National Forest**

15 Burnett Court  
Durango, CO 81301  
970-247-4874

Columbine Ranger District  
367 Pearl Street, PO Box 439  
Bayfield, CO 81122  
970-884-2512

Dolores Ranger District  
29211 Highway 184  
Dolores, CO 81323-9308  
970-882-7296

Pagosa Ranger District  
180 Pagosa St., PO Box 310  
Pagosa Springs, CO 81147  
970-264-2268

**White River National Forest**

900 Grand Ave.  
Glenwood Springs CO 81601  
970-945-2521

Aspen-Sopris Ranger District  
806 West Hallam  
Aspen, CO 81611  
970-925-3445

Blanco Ranger District  
220 East Market Street  
Meeker, CO 81641  
970-878-4039

Dillon Ranger District  
680 Blue River Parkway  
Silverthorne, CO 80498  
970-468-5400

Eagle –Holy Cross Ranger  
District  
24747 US Highway 24  
Minturn, CO 8164  
970-827-5715

Rifle Ranger District  
0094 County Road 244  
Rifle, CO 81650  
970-625-2371

<http://www.ecfr.gov>



U.S. GOVERNMENT PRINTING OFFICE | Keeping America Informed

Electronic Code of Federal Regulations

*e-CFR*

TM

**e-CFR Data is current as of July 24, 2014**

**USER NOTICE**

The Electronic Code of Federal Regulations (e-CFR) is a currently updated version of the Code of Federal Regulations (CFR). It is not an official legal edition of the CFR. The e-CFR is an editorial compilation of CFR material and FEDERAL REGISTER amendments produced by the National Archives and Records Administration's Office of the Federal Register (OFR) and the Government Printing Office. The OFR updates the material in the e-CFR on a daily basis. The current update status appears at the top of all e-CFR web pages [More](#).

**Browse:** Select a title from the list below, then press "Go".

Title 43 - Public Lands: Interior

Go

<i>Title</i>	<i>Volume</i>	<i>Chapter</i>	<i>Browse Parts</i>	<i>Regulatory Entity</i>
Title 43 Public Lands: Interior	1	Subtitle A--Office of the Secretary of the Interior		
			1-199	Subtitle A--Office of the Secretary of the Interior
		Subtitle B--Regulations Relating to Public Lands		
	2	I	400-999	Bureau of Reclamation, Department of the Interior
		II	1000-9999	Bureau of Land Management, Department of the Interior
		III	10000-10099	Utah Reclamation Mitigation and Conservation Commission

This Page Intentionally Left Blank.